PROCEEDINGS

OF THE

TRAVANCORE SRI MULAM ASSEMBLY.

SECOND ASSEMBLY.

THIRTEENTH SESSION.

Thursday, the 22nd July 1943/6th Karkadakam 1118.

(OFFICIAL REPORT)

Vol. XXII—No. 2.

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The Sri Mulam Assembly met in the Legislative Chamber, Public Offices at 12 Noon on the 22nd July 1943, Sachivottama Sir C. P. Ramaswami Aiyar K. C. S. I., K. C. I. E., LL. D. the President presiding.

MEMBERS SWORN.

The following members took the oath and signed the rolls:—

1. Mr. E. I. Chacko, (*Director of Industries*).
2. Mr. A. S. Damodaran Asan (*Food Grains Purchase Officer*)
3. Mr. C. P. Gopala Panickar (*Secretary to Government*)
4. Rajyasevanirata Dr. M. K. Gopala Pillai (*Director of Public Health*)
5. Dr. S. John (*Surgeon General*)
6. Mr. K. G. Kunjukrishna Pillai (*Legal Remembrancer to Government*)
7. Mr. A. Lekshminarayana Ayyar (*Financial Secretary to Government*)
8. Mr. K. Madhava Kurup (*Director of Registration*)
9. Rajyasevapravina G. Parameswaran Pillai (*Chief Secretary to Government*)
10. Mr. S. N. Ure (*Public Service Commissioner*)

QUESTIONS AND ANSWERS.

District Court at Mavelikara.

1. ❊ MR. P. NARAYANA PILLAI (*Mavelikara cum Kunnattur*): Will the Government be pleased to state:

(*a*) whether they have decided to make any permanent arrangement to house the District Court at Mavelikara; and

(*b*) if so, the action taken?

MR. K. G. KUNJUKRISHNA PILLAI (*Legal Remembrancer to Government*): (*a*) and (*b*) The acquisition proceedings in respect of the lands selected for the purpose are nearing completion.

Food Control Advisory Committee.

2. *MR. KOTTALIL P. ABRAHAM (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state whether the Food Control Advisory Committee recently constituted by them ever met, and when?

MR. A. S. DAMODARAN ASAN (*Food Grains Purchase Officer*): Yes; on the 28th June 1943.

MR. KOTTALIL P. ABRAHAM: May I know from Government whether the committee came to any definite conclusion on any specific matter?

MR. A. S. DAMODARAN ASAN: Yes, Sir. They were of the opinion that excess purchase must be immediately carried on more effectively and that for that purpose the local committees must be reconstituted wherever they are not properly functioning and that where they do not now exist they may be immediately constituted in consultation with the members of the Legislature in the respective taluks. The committee also came to the conclusion that the present system of purchase on acreage basis may be modified and the quota purchase effected on the basis of the settlement pattom. The proceedings of the committee are published in the book entitled "Food Control in Travancore" copies of which have been supplied to the members of the Legislature. The matter is dealt with from pages 58 to 61.

MR. M. R. NARAYANA PILLAI (*Thiruvalla*): May I know whether anything has been decided as to the distribution of stock on hand?

MR. A. S. DAMODARAN ASAN: The question of distribution has not been considered at that meeting, but it was decided that the matter would be considered at the next meeting.

Control of the price of meals in hotels.

3. *MR. VARKALA K. MADHAVAN (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state whether they have imposed any conditions about the price of meals *etc.*, in the hotels to which they sell rice and sugar?

MR. A. S. DAMODARAN ASAN: No.

MR. VARKALA K. MADHAVAN: Are the Government aware that the price of meals in the hotels is excessive?

MR. A. S. DAMODARAN ASAN: No. Government are not aware.

MR. VARKALA K. MADHAVAN: May I know whether Government will kindly enquire into that matter?

PRESIDENT: What is the answer which the honourable member suggests in respect of this question?

MR. VARKALA K. MADHAVAN: There is a complaint from the public that many hotel managers are charging high rates for meals. It is better that Government put a control in that matter.

MR. A. S. DAMODARAN ASAN. Government have not considered the question of exercising control over the hotels in the matter of meals.

MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*) : ഗവണ്മെൻറിൽ നിന്നല്ലേ അരിസപ്ലൈ ചെയ്യുന്നതു്?

MR. A. S. DAMODARAN ASAN : Rice is being supplied to all deserving people.

MR. K. P. KOCHUKORA THARAKAN : ഹോട്ടലിൽ അരി സപ്ലൈ ചെയ്യുന്നതു അവൎക്കു തോന്നിയ വിലയ്ക്കു വില്ക്കാനാണൊ?

MR. A. S. DAMODARAN ASAN : Government think that no control is necessary over the price of meals in the hotels for that reason.

PRESIDENT : There are practical difficulties with regard to hotels. If they supply cooked rice and charge heavy rates, then perhaps some kind of control may be started. Supposing they supply rice in the form of *Uppuma* or something like that, how is the Government going to decide as to the amount of cost for this material or the amount that one has to pay for such material and all the rest of it ? All that can be stated is that if Government find that there are cases of extortion in the matter of rates and if such matters are brought to the notice of Government, then there might be occasion for Government to fix what is called an upper ceiling price in regard to meals. At present no such representation has come to Government.

SADASYATILAKA T. K. VELU PILLAI (*Trivandrum*) : In the case of rice supply of hotels, do the Government interest themselves in seeing that what is so supplied is properly disposed of to the public ? I shall just give an illustration so that my honourable friend can answer it. In the case of arack supplied to shop keepers, some control is exercised by Government . Could not such a thing be done in the case of rice supplied to hotels ?

MR. A. S DAMODARAN ASAN : If it is found that any hotel is not properly carrying out its function with the rice supplied by Government, the question of discontinuing supply for that particular hotel will be considered.

Transport of paddy and rice.

4. *__MR. N. NARAYANA KURUP__ (*Ambalapuzha* cum *Shertala*) : Will the Government be pleased to state :

(*a*) whether transport of paddy or rice from pakuthi to pakuthi in the same taluk is prohibited ;

(*b*) whether they have received complaints of difficulty or annoyance due to the same ;

(*c*) whether they had been informed about such difficulty by the cultivators or their representatives ; and

(*d*) what action has been taken on the information ?

MR. A. S. DAMODARAN ASAN : (*a*) No.

(*b*) No.

(*c*) No.

(*d*) Does not arise in view of the answer to part (*c*).

MR. P. KUNJUKRISHNAN (*Quilon* cum *Kottarakara*): May I know the reason why transport of paddy from taluk to taluk is prohibited ?

MR. A S. DAMODARAN ASAN : That does not arise from the present question.

MR. K. P. KOCHUKORA THARAKAN : പാർട്ട് 'സി'ക്ക് 'നോ' എന്നു ഉത്തരം പറഞ്ഞിരിക്കുന്നു. നെല്ല് കൊണ്ടുപോകുന്നതിൽ പ്രവർത്തിയാരന്മാർ പല ഉപദ്രവങ്ങളും ഉണ്ടാക്കുന്നു എന്നു കഴിഞ്ഞ അസംബ്ലിയിൽ പ്രസ്താവിച്ചത് ഗവണ്മെന്റിന്റെ ദൃഷ്ടിയിൽ പെട്ടിട്ടുണ്ടോ?

PRESIDENT : Even during the last time that question was not raised.

MR. K. P. KOCHUKORA THARAKAN : നെല്ലു കൊണ്ടുപോകുന്നതു പ്രവർത്തിയാരന്മാർ തടയുന്നതു നിമിത്തം പലവൈഷമ്യങ്ങളും ... ...

PRESIDENT : On the last occasion what was really brought to the notice of Government was, that although there was no prohibition with regard to transport of paddy or rice from pakuthi to pakuthi in the same taluk, there was what was called an officious interpretation and as a result of that something like that happened.

Explosion in the Rubber Factory.

5. *** MR. VARKALA K. MADHAVAN :** Will the Government be pleased to state:

(*a*) whether a few workmen were injured in the Rubber Factory due to an explosion; and

(*b*) if the answer to part (*a*) is in the affirmative, whether the injured workmen were given compensation ?

MR. E. I. CHACKO (*Director of Industries*) : (*a*) One workman was injured.

(*b*) He was given compensation.

Cement Factory in Travancore.

6. ***MR. VARKALA K. MADHAVAN :** Will the Government be pleased to state whether they have made arrangements for starting a Cement Factory in Travancore?

MR. E. I. CHACKO : Government have already taken steps in this direction and made some arrangements.

MR. VARKALA K. MADHAVAN : May I know the place or places where such an arrangement has been made ?

MR. E. I. CHACKO : Kottayam or Alleppey, may be thought of.

Communal organisations under the Travancore Joint Stock Companies Act.

7. ***MR. T. T. KESAVAN SASTRI** (*Nominated*) : Will the Government be pleased to state the names of the communal organisations working at present under the Travancore Joint Stock Companies Act and the places where their head offices are located ?

MR. C. P. GOPALA PANICKER (*Secretary to Government*): *A list containing the information is laid on the table.

MR. KAVIYOOR K. K. KOCHUKUNJU (*Nominated*): ജായിൻറ്സ്റ്റാക്ക് ആക്റ്റിൽ ധർമ്മസ്ഥാപനവ്യവസ്ഥപ്രകാരം അല്ലേ ഈ സ്ഥാപനങ്ങൾ രജിസ്റ്റർചെയ്തിട്ടുള്ളതു്?

MR. C. P. GOPALA PANICKER: I claim notice.

Cheramar Christian Mahajana Sabha.

8. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(*a*) whether they have received an application for the registration of an organisation called the Cheramar Christian Mahajana Sabha;

(*b*) if so, who the applicants are;

(*c*) whether any other organisation of Cheramar Christians or other Christians has objected to the registration of the Cheramar Christian Mahajana Sabha;

(*d*) whether the Cheramar Christians come under recognised Christian organisations: and

(*e*) if so, what those recognised organisations are?

MR. C. P. GOPALA PANICKER: (*a*) Yes.

(*b*) One P. A. Mathew, General Secretary, Cheramar Christian Mahajana Sabha, Kurichi.

(*c*) Yes.

(*d*) Government have no information.

(*e*) This does not arise in view of the answer to part (*d*) above.

MR. T. T. KESAVAN SASTRI: രജിസ്ത്രേഷനു ഒബ്ജക്റ്റു ചെയ്തിട്ടുള്ള സാമുദായിക സംഘടനകൾ ഏതെല്ലാമാണെന്നു പ്രസ്താവിക്കാൻ ദയവുണ്ടാകുമോ?

MR. C. P. GOPALA PANICKER: സാമുദായികസംഘടനകൾ ഒബ്ജക്റ്റു ചെയ്തിട്ടുള്ളതായി അറിവില്ല.

MR. T. T. KESAVAN SASTRI: ഏതെങ്കിലും മതപരമായ സംഘടനകൾ രജിസ്ത്രേഷനു ഒബ്ജക്റ്റു ചെയ്തിട്ടുണ്ടോ?

MR. C. P. GOPALA PANICKER: അതു ഇപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

Vishavaidyasalas in the State.

9. ***MR. G. VELU PILLAI** (*Karunagapalli cum Kartikapalli*): Will the Government be pleased to state:

(*a*) the total number of grant-in-aid Vishavaidyasalas in the State at present;

(*b*) the number of recognised Vishavaidyasalas in Kartikapalli taluk;

* *Vide* Appendix I—Page 45.

[Mr. G. Velu Pillai.]

(c) whether there is any recognised Vishavaidyasala at Haripad;
(d) the date when the recognition was given:
(e) whether the inhabitants of Kartikapalli taluk have been making representations to Government for giving grant to the Vishavaidyasala at Haripad;
(f) whether the Vishavaidyan belongs to a backward community;
(g) whether any grant was given to any Vishavaidyasala in 1116, 1117 or 1118; and
(h) if so, how many were given such grants?

MR. C. P. GOPALA PANICKER: (a) 24.
(b) 1.
(c) Yes.
(d) 21-11-1930.
(e) Yes.
(f) He is a Ganakan by caste.
(g) Yes.
(h) Only one.

Dry Tapioca.

10. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state whether dry tapioca is being stored by merchants and planters with a view to profiteering?

MR. A. S. DAMODARAN ASAN: Government are not aware of any such instance although this is not unlikely.

MR. K. DOMINIC JOSEPH (*Vaikom cum Kottayam*): What is the foundation for stating that it is not unlikely that merchants and planters will store tapioca with a view to profiteering? Is it proper for Government to make a general insinuation of this character as regards planters? It is a well-known fact that planters, if at all they purchase tapioca, utilise it for distribution to the labourers. They do not trade on tapioca with a view to profiteering. Under such circumstances, to say that it is not unlikely that planters store tapioca with a view to profiteering is casting insinuation on the general class of plantors. Is that proper?

MR. A. S. DAMODARAN ASAN: There are planters of tapioca. What is stated in the answer is only "merchants and planters". Profiteering is in the human nature and so it is stated that it is not unlikely. That is all what is intended by the answer.

PRESIDENT: Profiteering is one of the respectable professions of India now-a-days, so far as I can see. There seems to be very little notice taken of it even in very high quarters. It is one of the new professions that is slowly struggling into existence.

Temporary Registry offices.

11. ***MR. K. R. NARAYANAN** (*Vaikom cum Kottayam*): Will the Government be pleased to state the number of temporary Registry Offices sanctioned, and the taluks to which they have been so sanctioned?

MR. K. MADHAVA KURUP (*Director of Registration*) : A*statement containing the required information is laid on the table.

MR. K. R. NARAYANAN : ഓരോ താലൂക്കിലും എത്ര ആധാരങ്ങൾ ഉണ്ടായിരുന്നാലാണ് അഡിഷണൽ സബ്‌രജിസ്ട്രാർകച്ചേരി ഏർപ്പെടുത്തുന്നതു്?

MR. K. MADHAVA KURUP : താലൂക്ക കണക്കാക്കിയല്ല അഡിഷണൽകച്ചേരി ഏർപ്പെടുത്തുന്നതു്. ഒരു ആഫീസിൽ ജോലികൂടുതൽ ഉണ്ടായിരിക്കയും അതു രണ്ടു് സബ്‌രജിസ്ട്രാർക്കു് ചെയ്യാൻതക്കവണ്ണം ഉണ്ടായിരിക്കുകയും ചെയ്താൽ ഒരു കച്ചേരികൂടെ ഏർപ്പെടുത്തും.

MR K. R. NARAYANAN : ഒരാഫീസിൽ ധാരാളം ആധാരം ഉള്ളപ്പോൾ അതിനടുത്തു വേറൊരാഫീസുകൂടി ഏർപ്പെടുത്താൻ ഡയറക്ടർ റെക്കമെൻറുചെയ്യുന്നതെന്താണ്?

MR. K. MADHAVA KURUP : ഈ കൊല്ലം മീനമാസത്തിനുമുൻപു അയ്യായിരത്തിലധികം ആധാരങ്ങൾ ഉണ്ടായിരുന്ന പതിനൊന്നു് സ്ഥലങ്ങളിൽ വേറൊരു ആഫീസുകൂടി സ്ഥാപിച്ചിട്ടുണ്ടു്.

MR. K. R. NARAYANAN : കടുത്തുരുത്തി ആഫീസിൽ മേടമാസത്തിനു മുൻപു എത്ര ആധാരങ്ങൾ ഉണ്ടായിരുന്നു?

MR. K. MADHAVA KURUP : കടുത്തുരുത്തി ആഫീസിൽ മിഥുനമാസം വരെ ൬൨൦൯ ആധാരങ്ങൾ ഉണ്ടായിരുന്നു.

MR. K. R. NARAYANAN : വയ്ക്കം രജിസ്റ്റർ കച്ചേരിയിൽ എത്ര ആധാരം ഉണ്ടായിരുന്നു.

MR. K. MADHAVA KURUP : വയ്ക്കം രജിസ്റ്റർ കച്ചേരിയിൽ ഇടവം അവസാനത്തിൽ ൬൯൨൦ ആധാരം ഉണ്ടായിരുന്നു.

MR. K. R. NARAYANAN : കോട്ടയം ഡിവിഷനിൽ പുതനായിട്ടു ഏതെങ്കിലും സബ്‌രജിസ്റ്റർ കച്ചേരി സ്ഥാപിച്ചിട്ടുണ്ടോ?

MR. K. MADHAVA KURUP : ആധാരങ്ങൾ കൂടുതലുള്ളതു തെക്കൻതിരുവിതാംകൂറിലും മദ്ധ്യതിരുവിതാംകൂറിൽ ചില താലൂക്കുകളിലും ആണു. അതുകൊണ്ടു കോട്ടയം ഡിവിഷനിൽ ഈ ആണ്ടു് ആദ്യംമാത്രം തൊടുപുഴെ ഒരു ആഫീസ്സ് സ്ഥാപിച്ചതേയുള്ളു.

The General Hospital, Trivandrum.

12. ***MR. G. VELU PILLAI** : Will the Government be pleased to state :

(*a*) the number of patients in the medical and surgical wards respectively of the General Hospital, Trivandrum, at present ; and

(*b*) the number of beds in the two wards respectively?

* *Vide* Appendix II—Page 45.

DR. S. JOHN (*Ag. Surgeon General*): (*a*) and (*b*) A *statement containing the information is placed on the table.

MR. G. VELU PILLAI: May I know how all these patients are accommodated in the General Hospital when the number of beds is less than the number of patients?

PRESIDENT: They are lying on the floor.

MR. G. VELU PILLAI: May I know whether the Surgeon General has made any recommendation to Government for increasing the number of beds?

DR. S. JOHN: Government have opened another hospital at Perurkada with beds to accommodate nearly 200 patients.

MR. G. VELU PILLAI: May I know whether the number of patients in the General Hospital is increasing or decreasing year after year?

DR. S. JOHN: The increase or decrease depends upon the public health of the people of the country.

MR. G. VELU PILLAI: May I know whether it is on the increase or decrease for the last two or three years?

DR. S. JOHN: It is more or less in the same state.

Dispensary at Noornad.

13. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether there was any representation to open a dispensary at Noornad; and

(*b*) the action taken on the same till this (7-11-1118)?

DR. S. JOHN: (*a*) and (*b*) The member's attention is invited to the answer to question No. 208 reported at page 432 of the Proceedings of the Sri Mulam Assembly (Volume XX) dated 24-7-1942/28-12-1117.

Midwife for Ankamali.

14. ***MR. K. R. NARAYANAN**: Will the Government be pleased to state:

(*a*) whether a midwife of the Public Health Department is on duty at Ankamali; and

(*b*) whether the Director of Public Health is aware that there is an institution in Ankamali itself receiving grant from Government and that a midwife is employed in that institution?

RAJYASEVANIRATA DR. M. K. GUFALA PILLAI (*Director of Public Health*): (*a*) Yes.

(*b*) Yes.

MR. K. R. NARAYANAN: അങ്കമാലിയിൽ മെഡിക്കൽ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും ഗ്രാൻറു വാങ്ങിക്കുന്ന ഒരു സ്ഥാപനം ഉണ്ടായിരിക്കെ പബ്ളിക്കുഹെൽത്തു ഡിപ്പാർട്ടുമെൻറിൽനിന്നും ഒരു മിഡ്വൈഫിനെ ഏർപ്പെടുത്തിയിരിക്കുന്നതു് എന്തിനാണു് ?

* *Vide* Appendix III—Page 46.

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: The duties of a midwife of the Public Health Department are different from those of the midwives attached to the hospitals. The midwife attached to the Public Health Department has to look after the pre and post natal conditions of the women whereas the midwives attached to ordinary hospitals attend only to delivery cases. Further the midwife of a hospital or dispensary has to be paid for their visits. The Public Health midwife has to attend to all cases free of fees.

Conservancy Unit at Kadakavoor.

15. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state whether they have decided to establish a conservancy unit at Kadakavoor?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: No.

Mortality in the State.

16. ***MR. K. KUNJU PANICKAR** (*Mavelikara cum Kunnattur*): Will the Government be pleased to state:

(*a*) the number of persons who died from 1-1-1118 up to 15-11-1118 in the taluks of Mavelikara, Kunnattur, Quilon, Kottarakara, Karunagapalli and Kartikapalli from cholera, small-pox and typhoid; and

(*b*) the number of persons who died from these diseases in the towns of Kayamkulam, Mavelikara, Adur and Quilon?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: (*a*) and (*b*) A statement containing the information is placed on the table.

MR. K. KUNJU PANICKER: May I know whether inoculation is given in those taluks?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Yes, Sir.

Chirayinkil taluk and the Food Control Advisory Committee.

17. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state:

(*a*) whether the coastal villages in Chirayinkil taluk are keenly affected by food scarcity; and

(*b*) whether there is any non-official member in the Food Control Advisory Committee to represent Chirayinkil taluk?

MR. A. S. DAMODARAN ASAN: (*a*) There is food scarcity all over the State.

(*b*) Yes.

Milling of paddy.

18. ***MR. K. KUNJU PANICKAR**: Will the Government be pleased to state:

(*a*) whether Government have given permission to any body to mill the paddy for their use;

(*b*) if the answer to part (*a*) is in the affirmative, the number of mills allowed to be worked and the names of the persons to whom the permission is granted; and

**Vide* Appendix IV—Page 46.

[Mr. K. Kunju Panicker]

(c) whether the people in the State consider the general prohibition to work the mills as a serious grievance and that the people find it very difficult to get the paddy pounded by womenfolk who used to do that formerly ?

MR. A. S. DAMODARAN ASAN: (a) The answer is in the negative.

(b) The question does not arise.

(c) The opposite is the case. Considerable loss and inconveniences to the consuming public are avoided by distributing paddy purchased by Government, as paddy itself; and stopping of mills is welcomed by the majority of the population.

Appointments made by the Public Service Commissioner.

19. ***MR. N. NARAYANA KURUP**: Will the Government be pleased to state :

(a) whether the appointments made in the Lower and Intermediate Divisions by the Public Service Commissioner after 1115 are quite in proportion to the seats allotted to each community ;

(b) whether appointments are made from other communities if there is no qualified hand in a particular community which is by right to get those seats ; and

(c) if the answer to part (b) is in the affirmative, whether such appointments are counted or not counted to decide the proportion of the community to which that chance is given ?

MR. S. N. URE (*Public Service Commissioner*): (a) In the Lower Division yes, subject to the availability of candidates from the various communities. In the Intermediate Division the communal rotation is not followed.

(b) Yes.

(c) For the Lower Division the rule is that when the turn of any particular community is passed over for want of suitable candidates, the community so passed over is entitled to get the benefit of the vacancies thus forfeited to the extent to which qualified candidates may subsequently be forthcoming from that community during a period of three years, a corresponding reduction being made in the number of vacancies due to the other communities that may have benefited under the arrangement in the meanwhile.

Deaths caused by cholera.

20. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state the number of deaths caused by cholera in the months of Medam, Edavam and Mithunam 1118 in the following taluks :—

(a) Chirayinkil;

(b) Quilon ; and

(c) Karunagapally ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: A *statement containing the information is placed on the table.

MR. VARKALA K. MADHAVAN: May I know whether the epidemic has been brought under control ?

*Vide Appendix V page 47.

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Yes, the epidemic has been brought under control long ago.

Cholera epidemic.

21. ***MR. G. VELU PILLAI**: Will the Government be pleased to state:

(a) the names of the taluks and towns recently affected by cholera;

(b) what the Public Health Department is doing to prevent the spread of the disease;

(c) the total number of deaths in the State due to cholera in 1118; and

(d) in which town or taluk the death rate has been highest?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: (a) A *statement containing the information is placed on the table.

(b) (1) Intensive prevention work such as mass inoculation, disinfection, chlorination of water supplies, etc., in the infected areas;

(2) Carrying on of propaganda for educating the general public regarding the precautionary measures to be adopted for preventing the epidemic;

(3) Introduction of special sanitary arrangements during festivals;

(4) The opening of cholera observation stations in the frontier stations; and

(5) Formation of a Central Public Health District with its headquarters at Quilon for effective supervision of the work in Central Travancore.

(c) 2338.

(d) Among the taluks, the highest death rate was in Shencotta, *viz.*, 1·97 per 1000 population. Among the towns the highest was in Colachel, *viz.*, 9·49 per 1000 population.

MR. G. VELU PILLAI: May I know whether inoculation is made compulsory in the affected areas?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Yes, Sir.

MR. K. P. KOCHUKORA THARAKAN: മൂവാററുപുഴ താലൂക്കിൽ കോളറാ മൂലം മരിച്ച കേസുകൾ ഉണ്ടായിട്ടുണ്ടോ ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: ഇപ്പോഴും ചില കേസുകൾ ഉണ്ടായിട്ടുണ്ട്.

MR. K. P. KOCHUKORA THARAKAN: അങ്ങിനെ എത്ര കേസുകൾ ഉണ്ടെന്നു പറയാമോ ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: നാലഞ്ചു കേസുകളിൽ കൂടുതൽ കാണുകയില്ല.

MR. K. P. KOCHUKORA THARAKAN: ഈ ലിസ്റ്റിൽ ആ വിവരം കാണിച്ചിട്ടില്ലല്ലോ ?

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* *Vide* Appendix VI Page 47.

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: ചോദ്യം ചോദിച്ച കാലത്ത്. അവിടെ കേസുകൾ ഒന്നും ഉണ്ടായിരുന്നില്ല.

Outbreak of cholera.

22. *MR. P. NARAYANA PILLAI: Will the Government be pleased to state:

(a) whether they have received any representation about the outbreak of cholera in certain taluks; and

(b) the measures adopted to prevent and check the disease?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: (a) Yes.

(b) The member is referred to the answer to part (b) of the interpellation No. 21.

MR. P. NARAYANA PILLAI: May I know whether any orders have been issued making inoculation compulsory?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Yes, Sir. All the three District Magistrates have been directed by the Government to make inoculation compulsory in their respective divisions.

MR. KOTTALIL P. ABRAHAM: കോതമംഗലത്തുണ്ടായി എന്നു പറയുന്നതായ കേസുകൾ സ്ഥലത്തെ ആളുകൾക്കാണോ അതോ അന്യസ്ഥലത്തുള്ളവർക്കാണോ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: കോതമംഗലത്തു ബിസിനസ്സ്മെൻ ധാരാളമുണ്ട്. അതുകൊണ്ട് അനേകം കേസുകളും അന്യസ്ഥലത്തുള്ളവർക്കാണ്. അന്യസ്ഥലത്തുനിന്നും സുഖക്കേടായി അവിടെ വന്നുചേരുന്ന കേസുകളാണ് അധികമുള്ളത്.

MR. K. P. KOCHUKORA THARAKAN: മൂവാറ്റുപുഴ താലൂക്കിൽ എത്ര ഇനാക്കുലേഷൻ നടത്തിയെന്നു പറയാമോ ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: പറയാം.

MR. P. SIVARAMA PILLAI (*Meenachil* cum *Thodupuzha*): May I know whether Government have enquired as to whether the Division Peishkars have put into effect the order compelling inoculation?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Wherever it has been found necessary, they are making inoculation compulsory.

MR. M. SIVATHANU PILLAI (*Thovala* cum *Agasteeswaram*): May I know the cause for the sudden outbreak of cholera in these taluks?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: The Department has submitted a detailed report to the Government and the public also are aware that the surrounding areas of Travancore are infected with the epidemic of cholera. Cochin, Tinnevelly, Madura, Coimbatore and many other places are having a very bad attack of cholera. So, naturally communications through the frontier routes have imported the disease into this State also.

MR. M. SIVATHANU PILLAI: May I know whether quarantine has been started in the frontier to prevent the disease coming into the State?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Observation stations have been started.

MR. M. SIVATHANU PILLAI: I wish to know whether the cause of the outbreak of the epidimic is insufficiency or bad quality of food.

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: In 1104 and 1112 there were cholera epidemics. But there was no insufficiency of food then.

PRESIDENT: I have very carefully considered the figures of deaths due to cholera in the neighbouring provinces such as Madura, Tinnevelly, Coimbatore and the State of Cochin and I find that our figures are only one-third or one-fourth of the percentage of deaths reported in British India.

MR. M. R. NARAYANA PILLAI: May I know under what provision of law the District Magistrates are entitled to enforce compulsory inoculation?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: Under the Epidemic Diseases Act, there is a provision by which certain orders can be passed temporarily for making vaccination and inoculation compulsory.

MR. TARIATHU KUNJITHOMMAN (*Muvattupuzha cum Devicolam*): ഇനാക്കുലേഷൻ ചെയ്യാനുള്ള മരുന്ന് കോതമംഗലത്ത് അയച്ചിട്ടുണ്ടോ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: ഉണ്ട്.

MR. TARIATHU KUNJITHOMMAN: ഞാൻ ഇന്നലെ പോരുമ്പോൾ നാലുപേർ മരിച്ചു; അഞ്ചുപേർക്കു ദീനമുണ്ട്; അവിടെ മരുന്ന് ഒന്നുമില്ലാതെ വിഷമിക്കുന്നു. അതുകൊണ്ട് ഇനിയെങ്കിലും ആവശ്യമുള്ളിടത്തോളം മരുന്നു അവിടെ അയച്ചുകൊടുക്കുന്നതിനു ദയവുണ്ടാകുമോ?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI: നാലു ദിവസമായി ഹെൽത്ത് ആഫീസറും മററു സിൽബന്ധികളും മററുമായി അനേകമാളുകൾ പെരുമ്പാവൂരിൽ ഉണ്ടായിരുന്നു. വേണ്ട പരിശ്രമങ്ങൾ എല്ലാം നടത്തുന്നുണ്ട്. മി. കുഞ്ഞിത്തൊമ്മൻ ഈ സംഗതി അറിയാതെപോയതിൽ ഞാൻ വ്യസനിക്കുന്നു.

MR. TARIATHU KUNJITHOMMAN: ഞാൻ അതു സൂക്ഷ്മമായി അറിഞ്ഞു. ഡാക്ടരെത്തന്നെ കണ്ടു. കുത്തിവയ്ക്കുന്നതിനുള്ള ഏർപ്പാടുകളെല്ലാം ചെയ്യുന്നുണ്ടെന്നു എനിക്കറിയാം. പക്ഷെ ഈ ഏർപ്പാടുകളെല്ലാം പെരുമ്പാവൂരുണ്ടായിരിക്കും. കോതമംഗലത്തു ഇല്ല. ഇവിടെ വരുമ്പോൾ കാളറായ്ക്കു കുത്തിവയ്ക്കണമെന്നു ഏർപ്പാടുണ്ടല്ലൊ. മരുന്നില്ലായ്കിൽ എന്തു ചെയ്യും?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI : വൎഷാധിക്യം നിമിത്തം അല്പം താമസം വന്നേക്കും.

Deaths due to cholera and plague.

23. ***MR. K. R. NARAYANAN :** Will the Government be pleased to state:

(*a*) the number of deaths due to cholera and plague in 1118 in the State; and

(*b*) the action taken to prevent cholera which has now widely spread?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI : (*a*) Plague 2, Cholera 2338 (till 24-11-1118).

(*b*) The member is referred to the answer to part (*b*) of interpellation No. 21.

Cholera in Mavelikara.

24. ***MR. P. NARAYANA PILLAI :** Will the Government be pleased to state:

(*a*) whether they have received representations about the outbreaks of cholera in the various pakuthies of the Mavelikara taluk; and

(*b*) the steps taken by way of preventive measures for the same?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI : (*a*) Yes.

(*b*) The District Health Officer and Sanitary Circle Officers concerned visited the spots and adopted necessary preventive measures. One Sanitary Circle Officer, one Sanitary Inspector, three Vaccinators and one Reserve Vaccinator have been placed on special duty for cholera preventive work such as inoculation of contacts, disinfection, etc., in the taluk.

Cholera in Mavelikara.

25. ***MR. P. NARAYANA PILLAI :** Will the Government be pleased to state:

(*a*) the number of deaths in the Mavelikara taluk on account of cholera during the last two months; and

(*b*) the number of cholera attacks in the same taluk during the last two months?

RAJYASEVANIRATA DR. M. K. GOPALA PILLAI : (*a*) 112.

(*b*) 173.

Appendix I.

Vide Answer to Question No. 7.

List of communal organisations working at present.

No.	Name of Association	Situation of the Registered Office.
1	The Sri Narayana Dharma Paripalana Yogam	Aruvipuram, Neyyattinkara. (Head Office, Alleppey)
2	The Malabar Mar Thoma Syrian Christian Evangelistic Association	Tiruvella
3	The Keraleeya Nadar Samajam	Venganur
4	The Nayar Service Society	Changanacherry
5	The Travancore and Cochin Diocessan Trust Association	Kottayam
6	The Travancore Veera Saiva Samajam	Onattukara
7	The Travancore Paradesa Viswabrahma Maha Sabha	Kunnathur
8	The Malayala Brahmana Samajam	Kottayam
9	The Kerala Hindu Mission	Trivandrum
10	The Yogiswara Mahasabha	Vembayam, Pirappancode
11	The All Travancore Varnava Samajam	Trivandrum
12	The All Travancore Hindu Maha Sabha	Kottayam
13	The Tamil Vannar Mahajana Sabha	Alleppey
14	The All Travancore Vanika Vysia Sangham	Trivandrum
15	The All Travancore Pulayar Maha Sabha	Trivandrum
16	The Kerala Mudaly Samudayam	Amsi, Vilavancode
17	The Tiruvithamcore Namputiri Yogakshema Maha Sabha	Trivandrum

Appendix II.

Vide Answer to Question No. 11.

Total number of temporary Sub-Registry Offices ... 21

Name of Taluks.		*Name of Taluks.*	
1	Kalkulam	8	Mavelikara
2	Neyyattinkara	9	Kunnathur
3	Nedumangad	10	Thodupuzha
4	Trivandrum	11	Tiruvalla
5	Pattanapuram	12	Kottarakara
6	Pattanamthitta	13	Ambalapuzha
7	Karunagapally		

Appendix III.

Vide Answer to Question No. 12.

Statement re: patients and beds in the General Hospital, Trivandrum.

		No. of patients.	*No. of beds.*
Medical Ward	...	252	128
Surgical Ward	...	370	178

Appendix IV.

Vide Answer to Question No. 16.

Statement showing the number of deaths due to cholera, smallpox and typhoid from the 1st of Chingam 1118 to the 15th of Mithunam 1118 in certain taluks and towns.

(a)

Taluk or Town.		*Cholera*	*Smallpox*	*Typhoid.*
Quilon Taluk	...	139	...	12
Karunagapalli Taluk	...	251	...	8
Kartikapalli Taluk	...	11	...	22
Mavelikara Taluk	...	59	...	24
Kunnattur Taluk	...	45	...	8
Kottarakara Taluk	...	118	...	1

(b)

Quilon Municipal Town	...	47	...	...
Kayamcolam do.	...	11	...	3
Mavelikara do.	...	...	...	3
Adoor Minor Conservancy Town	...	...	...	1

Appendix V.

Vide Answer to Question No. 20.

Number of deaths caused by cholera in the months of Medam, Edavam and Mithunam 1118 in Chirayinkil, Quilon and Karunagapalli Taluks.

Taluks.		*Months.*		
		Medam.	*Edavam.*	*Mithunam till 21st.*
(a) Chirayinkil	...	91	11	18
(b) Quilon	...	41	76	88
(c) Karunagapalli	...	...	116	182

Appendix VI.

Vide Answer to Question No. 21.

CHOLERA EPIDEMIC.

The Taluks which have been affected more recently are :

1. Chirayinkil
2. Kottarakara
3. Pathanapuram
4. Quilon
5. Karunagapalli
6. Kartikapalli
7. Mavelikara
8. Ambalapuzha
9. Thiruvalla
10. Changanacherry
11. Kottayam
12. Shertalai
13. Vaikom
14. Meenachil
15. Kunnathunad, and
16. Parur.

The towns which have been affected recently are :—

1. Kuzhithura
2. Trivandrum
3. Quilon
4. Kayamkulam
5. Alleppey
6. Changanacherry
7. Kottayam
8. Vaikom

Suspected cases have been reported from Mavelikara and Thiruvalla Municipalities.

ANNOUNCEMENTS BY THE PRESIDENT.

PRESIDENT : There are one or two announcements and statements I have to make before proceeding to the next item on the agenda. In the first place it is my duty to point out that we have received very strong suggestions from the Central Government and indeed it is of universal application that during the time of war no figures should be published regarding public utility undertakings, transport movements, movement of food stuffs and so forth. The profits earned by public utility undertakings, the places where those undertakings have to be started and such other things have necessarily to be kept confidential during the time of war and for that reason and that reason alone. I may say that the budget has been circulated only to the honourable members of the Legislature and has not been given in the manner in which they used to be given to the Press and the public at large, because it is impossible to separate public utility service items or to paste paper over such items in the budget and then present them to the newspapers or the general public. Therefore I hope that the honourable members will realise that the documents that they have in their hands, namely, the budget and the memorandum relating to the budget are to be treated by them as confidential documents. I trust that the members of the fourth estate will realise that this is a matter of a very special character which has necessitated to keep these documents confidential during the time of the war, and I trust that the inconvenience such as it is will be ignored in the circumstances.

The other point is that Government, for reasons which I need not dilate upon now because I have indicated them sufficiently well earlier, cannot possibly in the interests of the State answer fully questions as to what price was paid for rice in a particular place. Supposing for instance Government buy rice from Kashmir at Rs. 40, from Central Provinces at Rs. 30, from Orissa at Rs. 35, and so on. Government do not propose to make any profit whatsoever from these transactions. They do not wish to derive any profit either by way of buying or distributing the rice. Subject to that, the public will have to pay price for the rice according to the price that Government pay. A time may come, God forbid, when Government will have to set apart large sums of money for selling rice to people at lower rates than what Government had to pay. About 2 or 3 weeks ago it seemed very likely that there was no other alternative. It was thought that Government will have to set apart 3 or 4 crores of rupees for selling rice at a reduced price. That contingency will arise when it is a question of actual starvation. Unless such a contingency arises, Government do not propose to make any profit or loss by the rice transactions. Already we have purchased rice to the extent of Rs. 2 3/4 crores from various places beginning from Kashmir in the north, Sind in the west, Orissa in the east and Central Provinces in the middle. We have purchased rice from all these places at varying rates, so that it will be difficult to give exact figures for the price at which we bought rice. If any honourable member wants any special information he is at liberty to see the

Chief Secretary or the Director of Food Supplies who will be always prepared to give exact figures. Government rely upon the members of the Legislature in keeping that information absolutely confidential. But Government cannot publish those figures.

Then I find that there has been a certain amount of misconception because queries have been put with reference to the Anchal Bill. In paragraph 18 of the Financial Secretary's budget speech it is mentioned that it is proposed to double the rate of anchal cards and covers. At present we propose to increase the rate to 8 cash for cards and one chuckram for covers. That is our proposal.

ADJOURNMENT MOTIONS.

PRESIDENT : I have received notices of 11 adjournment motions. I have absolutely no objection to these being admitted for discussion. I may, however, say at once that most of them relate to food shortage, distribution of food etc. It cannot be gainsaid that the matter is of public importance. I have no objection to admit all the 11 motions and to give time for discussing all of them. But that would involve a serious infringement or curtailment of the time available to the House for the Budget. As an alternative, I am prepared to call upon those honourable members who have sent in the adjournment motions to speak first because of the urgency of their subjects. If that would answer the case there is no need for further discussion.

The following is the adjournment motion by Mr. T. P. Velayudhan Pillai:

> "I beg leave to move that the business of the House be adjourned for discussing a definite matter of urgent public importance, *viz.*, the serious situation brought about by the complete destruction of the paddy cultivation in Central and North Travancore, due to the unprecedented and continuous floods, and also the indispensable necessity of affording suitable relief to the agriculturists of the affected areas."

This is, of course, very important if it is a fact. But, nevertheless it is not a question for discussion, by adjournment motion at this stage for Government are supposed to be the owners of every grain of paddy. There is no need for any complaint that on account of the complete destruction of paddy cultivation there is a loss of crop which would belong to any owner in the State, for, the Government are taking over all the rice. I mean we have come to the conclusion deliberately that half measures are no longer possible, that there should be a complete purchase of every grain of rice, paddy and tapioca within the State. We shall hand over to the landlord only a portion of the crop, whatever we consider to be necessary for his reasonable requirements and take the balance. We take the whole of the avilable paddy or rice in the State. So the question of the destruction of paddy cultivation does not arise.

Mr. Narayana Kurup has given notice of four or five adjournment motions. One of them is to discuss a definite matter of urgent public importance *viz.*, "the panic distress, difficulty and loss experienced by

[President.]

the agriculturists of Kuttanad by the recent orders of Government and its officers, in the matter of purchase, collection, storing and issuing permits to store paddy, and in the matter of transport of paddy from pakuthy to pakuthy in the very same taluk and in the matter of fixing rations in different rates in different places, and to suggest means to avoid difficulties." Hereafter all the paddy will be Government property and Government will be responsible for transport. Another motion is with regard to "the distress and starvation experienced by the people of the State, especially the rural folks, due to inadequate and irregular supply of food materials." That is a very important matter and it may well form the subject of a full-dress debate during the general discussion of the budget. But if the honourable members want to have the adjournment motion discussed, I have no objection. Another motion is to increase the salary of the low paid officers of the State. When people are not able to make both ends meet with the 10 or 15 rupees they get as their pay, Government consider that it is absolutely necessary to give them some increase.

Another honourable member Mr. Dominic Joseph has given notice of a motion to discuss the serious situation caused by the shortage of foodstuffs in the State. The shortage of foodstuffs in the State is not so great as the shortage of transport facilities in the State. Unless Government can have transport facilities, how is that shortage to be improved? Foodstuffs sufficient to meet the requirements of the State are not produced in the State. There is no doubt that the Government of India are aware that for the next three months if we do not get all the rice necessary we shall have to starve; and we have said so to the Government of India, in order that steps may be taken for not stopping work on tea, rubber, and coffee estates or for preventing public workshops from not functioning. We cannot put it more strongly than that. Still, if the honourable member wants to move the motion, I will allow it.

In taking paddy, provision will only be made for seeds and Government will retain every grain in their hands. There will be no quota hereafter. The situation has given rise to difficulties and hardships.

Now I am asking the honourable members for general information whether these adjournment motions should be taken up for discussion individually. If the honourable members want to discuss them one by one I shall give time up to 11 days;—otherwise I shall give them time during the general discussion.

MR. N. NARAYANA KURUP: In the circumstances, my adjournment motion relating to the panic, distress, difficulties and loss experienced by the agriculturists of Kuttanad by the recent orders of Government and its officers, in the matter of purchase, collection, storing and issuing permits to store for use, of paddy and in the matter of transport of paddy from pakuthy to pakuthy etc., may be moved.

PRESIDENT: Does anybody take objection?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: I object to the motion.

The question whether the motion may be taken up for consideration was put to vote, and as only 12 members rose in their seats, the motion was declared lost.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvalla*): I rise to a point of order. Is it right to ask any individual member whether there is any objection?

SADASYATILAKA T. K. VELU PILLAI (*Trivandrum*): May I say, Sir, I was first to object?

PRESIDENT: At the time of the general discussion I shall give the fullest opportunity for speaking to every honourable member who has given notice of adjournment motions. Each member will be called upon to speak. Of course there are certain other formalities. The Deputy President will be called upon first, then the leaders of the organised parties will be called. After that the honourable members who have given notice of adjournment motions will be called in their order to speak.

MESSAGES FROM THE SRI CHITRA STATE COUNCIL.

SECRETARY: Sir, I beg to report that the following Messages have been received from the Secretary to the Sri Chitra State Council:—

1. "Under Rule 42 of the Travancore Legislative Rules, I am directed to inform you that the Sri Chitra State Council, at its meeting held on the 4th June 1943, agreed without any amendment to the following Bills which were passed by the Sri Mulam Assembly on the 31st May 1943 and the 1st June 1943:—

(i) The Travancore Registration Act (Amendment) Bill.
(ii) The Abkari Act (Amendment) Bill.
(iii) The Travancore Credit Bank Act (Amendment) Bill.
(iv) The Travancore Maternity Benefit Bill."

2. "I am directed to inform you that at the meeting of the Sri Chitra State Council held on the 5th June 1943, the Council has concurred in the motion of the Sri Mulam Assembly that the Travancore Disposition of Property Bill should be committed to a Joint Committee of the Sri Chitra State Council and the Sri Mulam Assembly."

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

SECRETARY: Sir, I beg to report that the following Bills have received the assent of His Highness the Maharaja:—

(i) The Travancore Credit Bank Act (Amendment) Bill.
(ii) The Travancore Maternity Benefit Bill.
(iii) The Travancore Registration Act (Amendment) Bill.
(iv) The Abkari Act (Amendment) Bill.

STATEMENT LAID ON THE TABLE.

MR. A. LEKSHMINARAYANA AYYAR (*Financial Secretary to Government*) : Sir, under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by Government under Section 32 of Act II of 1108.

Demand.	Amount in Rupees.	Particulars.
VII. 36—Buildings, Communications, etc. (d) Works	11,500	For the execution of certain works for the Tuberculosis Hospital, Nagercoil.
XV. 21—Jails (a) Central Prison—Contingencies	40,000	For dieting charges, hospital charges and clothing and bedding of prisoners.
XVIII. 24 Education A. (1) Grant to the Travancore University	1,00,000	For the institution of two prizes called Maharani Setu Parvati Bayi Prize and Sri Chitra Prize for the encouragement of the study of Sanskrit Literature, Hindu Philosophy and Science.
(2) Grant to the Annamala University	1,01,786	For grant to the Annamala University.
XX. 25—Agriculture	2,198	For the revival of Sericulture.
XXVI. 30—Public Health—C. Prevention of Epidemics	15,000	For preventive measures against cholera etc.

PANEL OF CHAIRMEN.

PRESIDENT : Under Rule 3 (2) of the Legislative Rules, I nominate Sadasyatilaka T. K. Velu Pillai and Mr. S. Krishna Aiyar on the Panel of Chairmen for this session of the Assembly.

ANNOUNCEMENT REGARDING THE DATE OF ELECTIONS TO COMMITTEES.

PRESIDENT: The House will elect two members each to the Public Accounts Committee and the Standing Finance Committee for 1119, and four members to the P. W. D. Advisory Committee that is to be constituted afresh. The elections will take place on Thursday, the 5th August 1943. They will be held as usual after the business of the House for the day is over, under the Chairmanship of the Deputy-President or one of the panel of chairmen. The ordinary system of voting by ballot will be adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND V—REGISTRATION.

MR. K. MADHAVA KURUP: Sir, I move for a supplementary grant of Rs. 5460 under Demand V—Registration. As is given in the list of Demands for Supplementary Grants, a sum of Rs. 4,000 is intended for the purchase of articles of furniture for new clerks, about 250 in number, appointed in the Sub-Registry offices. The remaining sum of Rs. 1,460 is intended for travelling allowance to the members of the Chitties Act Committee and the Committee for the licensing of document writers. The report of the latter Committee has already been submitted to Government and the former will be submitted in a few days. I beg to request the House to grant the sum.

The motion was put and carried and the grant was made.

DEMAND XXIV—MEDICAL.

DR. S. JOHN: Sir, I move for a grant of Rs. 30,223 under Demand XXIV—Medical. This is intended for the purchase of 1,150 lbs. of quinine from the Madras Government. The payment is so urgent that it is not possible to postpone it. I request therefore the House will allow this supplementary grant.

MR. M. BHASKARAN NAIR (*Neyyattinkara cum Trivandrum*): In supporting this demand, I wish to know whether sufficient quantities of quinine will be supplied in the malarial areas.

PRESIDENT: We are very hard put to in getting quinine. We are pressing the Government of India to supply us quinine. In answer to our request for 3,000 lbs. we were offered 136 lbs. During my recent visit to Delhi I took the matter rather strongly with the Government of India and the Director-General of the Medical Services is coming here to see the situation himself. In the meanwhile we have got 1,150 lbs. from the Government of Madras, so that we are only 2,000 lbs. short.

MR. M. SIVATHANU PILLAI: Sir, may I have an idea of the price of quinine at present?

PRESIDENT: Is it necessary for the honourable member to know the price? The price in the open market is terrible. I would rather not give the price, but I can assure the honourable member that the Government will supply at the purchase price without making any profit at all.

MR. M. SIVATHANU PILLAI: I do not want to know the exact price. May I know at least the approximate price?

PRESIDENT : I am sorry, no.

The motion was put and carried and the grant was made.

DEMAND XXXVII—DEBT HEADS—COINAGE ACCOUNT.

MR. A. LEKSHMINARAYANA AYYAR : Sir, I move for a supplementary grant of Rs. 3,04,000 under Mint advances. This is intended for meeting the additional expenditure for the purchase of bullion required for minting about ten lakhs of small silver coins in order to remove the present shortage of small change. I request the House to sanction the grant.

The motion was put and carried and the grant was made.

PRESENTATION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE AUDIT REPORT AND APPROPRIATION ACCOUNTS OF 1116 M. E.

MR. A. LEKSHMINARAYANA AYYAR : Sir, I beg to present the Report of the Public Accounts Committee on the Audit Report and Appropriation Accounts of 1116 M. E.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, I wish to make a few observations on the Report of the Public Accounts Committee that has been presented to us for consideration. Unlike the Standing Finance Committee or any other committees constituted by Government for different purposes, this is the statutory body constituted under Rule 79 of the Travancore Legislative Rules for the purpose of dealing with the Audit Report and Appropriation Accounts of Government. Under these circumstances, it would be in the fitness of things if the Public Accounts Committee, which has the special privilege of having the Dewan as its Chairman is afforded sufficient opportunity to discharge its functions satisfactorily. Of late, it has almost become the practice to fix up the date of the meeting of the Public Accounts Committee in such a way as not to give sufficient convenience or time to the non-official members of the committee to study properly the Audit Report and Appropriation Accounts and be ready for a discussion. By the very nature of this document, it is difficult for a lay-man to understand it. On more occasions than one I have complained against this attitude of the authorities concerned. But Sir, I am constrained to observe that deserving attention has not yet been given to this aspect of the matter. It is really regrettable to note that the meeting of the Public Accounts Committee appointed for considering the Audit Report and Appropriation Accounts of 1117 M. E. was proposed to be held on the 5th Karkatakam, a day which was set apart for studying the voluminious budget for the next year. It would appear that the business of the Public Accounts Committee is being treated as an unimportant matter of ordinary routine. Sir, you are the custodian of the privileges of both the Houses of Legislature and I would therefore appeal to you to see that such things are not repeated at least in future.

PRESIDENT : I can fully understand the view of the honourable member. I wish to know whether he is making any motion to have this discussion adjourned till after the budget debate.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, I wish to make only a few observations with regard to this matter and hence I do not propose to make any motion for the adjournment of discussion.

PRESIDENT : So far as the fixing of the date of the meeting of the Public Accounts Committee is concerned, the Financial Secretary made it clear yesterday that it was only the first or a preliminary meeting. Is it not so, Mr. Financial Secretary?

MR. A. LEKSHMINARAYANA AYYAR : Yes, Sir.

PRESIDENT : So that honourable members could fix another date for discussing the matter fully.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Thank you, Sir.

Another matter I wish to bring to your notice is this. Under the rules the Dewan is the ex-officio Chairman of the Public Accounts Committee. I find from the annual reports of the Public Accounts Committee for the last three years that the deliberations of the Public Accounts Committee were presided over by the Chief Secretary to Government, of course under authorisation by the Dewan. Sir, whatever might have been the reasons therefor, I beg to request that you may be pleased to make it convenient for you to preside over the deliberations of the committee so that you may get first-hand information about the criticisms made by the non-official members regarding the dereliction of duties, violation of rules and circulars, want of proper control over finances and other financial irregularities on the part of the Heads of Departments. I think it would be more in the public interests if the Dewan presides over the meetings. I may be permitted to make it perfectly clear that the present Chief Secretary who presided over the meetings of the Public Accounts Committee for the last two years has always been very helpful to the committee in clarifying the position of Government and also in furnishing valuable satisfactory information to the committee with uniform courtesy and respect.

PRESIDENT : In as much as my attendance on the Public Accounts Committee has been invoked, I may at once state the point of view I have adopted. In the nature of things the honourable member who has just sat down will realise that the Public Accounts Committee deals with the detailed accounts of transactions, and the Dewan, for the time being, especially, when the pressure on his time is very great, may not have sufficient leisure to go through the details as much as the heads of departments and the Chief Secretary may. But I fully realise that there may be occasions when matters of principle or questions of grave importance may arise when the Dewan's presence would be of use. I take it that the Chief Secretary will be the first to invite my attention when such an occasion arises, and I shall be only too glad then to participate in the deliberations of the Public Accounts Committee.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Thank you, Sir. Having said so much about the Report in general I wish to draw the attention of the House and Government to certain unsatisfactory results mentioned in the Report. It can be seen from the annual reports of the Public Accounts Committee that the committee has been recording year after year its protest against the high percentage of variations between the total grants and the actual expenditure and also against the large number of unnecessary supplementary demands for grants.

These facts prove beyond any reasonable doubt the absence of strict control over the progress of expenditure against the budget allotments. It is regrettable to find that there has not been satisfactory improvement in such matters so far. Similarly a great majority of the Heads of Departments do not appear to have taken any care or pains to comply with the provisions contained in Article 930 of the Financial and Account Code. It lays down that whenever the head of a department finds that he cannot spend any portion of the budget allotment placed at his disposal, he must make a report of that fact immediately to Government and surrender the surplus amount. This rule appears to have been deliberately violated in the majority of cases. The result of such non-surrender is obviously against public interest, in as much as such excess funds could have been utilised for more pressing necessities of the time and to the best advantage of the tax-payers.

With a view to prevent the rush of expenditure of the P. W. department grant towards the close of the year, Government have issued orders prescribing the percentage of expenditure, for each quarter. Let us see whether this rule is being acted upon or uniformly violated by the P. W. D. Paragraph 13 of the report of the Public Accounts Committee reads thus;

> 'It was noted that, as usual, expenditure in the P. W. D. during the last quarter of the year was out of proportion to the expenditure of the year. This, the Committee points out, should be avoided.'

Every year in the report of the Public Accounts Committee we find similar statements made with regard to this Department. I am at a loss to understand why the Government are making these rules if they are unable to enforce them. If, on the other hand, it is found from actual experience that it is difficult to act in accordance with such rules I would suggest that it is better to cancel these rules immediately without worrying the Public Accounts Committee or the Legislature on this account. Sir, I would only request that you may be pleased to peruse the reports of the Public Accounts Committee for the last three years and see whether the annual scrutiny of the Audit Report and Appropriation Accounts by the Public Accounts Committee has improved matters to any extent. I am constrained to submit that it is only a waste of public time and funds to have this formality gone through every year without any corresponding benefit either to Government or to the State. With these observations I resume my seat.

SADASYATILAKA T. K. VELU PILLAI: I am very glad to support the observations of Mr. T. P. Velayudhan Pillai. I do not want to make a comparative estimate of the values of the contributions made by honourable members. But permit me to say, Sir, that whenever Mr. T. P. Velayudhan Pillai has spoken on this or on kindred matters, I have listened with great admiration and respect so that once he begins to speak, I feel always that there would be something really forceful in what he is going to say; but this time I was disappointed. The position contended for by him was very sound. The first thing that he stated was that in preference to the Chief Secretary to Government presiding over the Public Accounts Committee, the Dewan should, it possible, do so. Neither Mr. Velayudhan Pillai, I take it, nor I have anything against the person of the Chief Secretary or his fitness. It is a matter of principle. For, Sir, the Chief Secretary is between two stools; between the non-officials and the Dewan who is the head of the administration.

PRESIDENT: I hope the honourable member will not take it for granted that there is a great gulf between the Dewan and the non-officials.

SADASYATILAKA T. K. VELU PILLAI: No, Sir. But the points of view may differ. But the Dewan, on the other hand, may be able to take a proper and stronger initiative. To put my idea briefly, Sir, the difference between the Dewan and the Chief Secretary in this matter is the difference between salt and what is contained in the salt. And very often when the Chief Secretary is asked to go into a certain question he will have to veto his own conclusion when he becomes the Dewan. I remember an instance in which the Chief Secretary in a neighbouring State drafted a letter with regard to a petition of a friend of mine. It so happened that after the petition was submitted to Government, this Chief Secretary became the Dewan and then he passed orders against the recommendation which he himself, as Chief Secretary, had made.

The next point that I wish to develop is that there is no use in merely going through the forms of accounting and appropriation and so forth. It was the figures for the year 1116 that were gone through by the Committee, though we are now in 1118. I wonder, Sir, when people who are fit for these purposes, as estimated by Government and as acquiesced in by us, persons coming from outside where they have been dealing with larger things than we are accustomed to do here, are put in charge of these works, why these defects cannot be cured. This is a matter in which we and the Government cannot congratulate ourselves. I would urge upon the Government one thing, and that is, do things properly, and do them in time. What is the use of summoning a meeting yesterday? Let these things filter down. We non-official members know our limitations; we want some time; we want to take instructions from persons who know them. We are not let into all the secrets. Therefore, Sir, so long as rules make it necessary that certain things should be done, the greatest possible facilities must be made for doing them.

[Sadasyatilaka T. K. Velu Pillai.]

There is another aspect which I wish to touch. I have very often felt that when the Dewan does a thing himself, heads of departments and others who give their opinion and views on that matter, have more of the thing in their heads than when another officer presides, though that officer is one of great ability and experience. I have always felt that in some way, the statements from the Chair assume a different aspect. I do not want to speak about personalities, but I may say that when the occupant of the Chair is one who knows all these subjects better than all of us, we feel that there is a power above us who will descend upon us and our arguments.

PRESIDENT: I suppose the gist of the argument is that I should speak less. I fully realise the point.

SADASYATILAKA T. K. VELU PILLAI: In vindication of my own reputation and my capacity to learn and admire things, that is not my view. We want to hear more from the Chair and to learn from what we hear. We feel sometimes that information which we could not get from elsewhere, we can get from the Chair. So that, if these people are made to do their duty properly, if they are asked to do things in time, if when the Chief Secretary presides over the meetings he will see that proper action is taken, I have no doubt that the complaints will not arise.

MR. M. SIVATHANU PILLAI: Before I make a few observations on the topic, I may take the House immediately into my confidence and confess that I am also infected, to the same extent by a similar sense of irresponsibility as on the part of the official members. In other words, I had also the good fortune, or misfortune, I cannot say which, to attend several of these committees; and I find generally speaking official members coming not prepared with their subjects, when information are sought for. Their negligence or indifference very often infects me as well. So much so, sometimes, when I return home after the session, I feel that I have not done properly my duty to the public.

PRESIDENT: The honourable member has got a constituency to whom he is responsible; but the official member has got only myself as a constituency.

MR. M. SIVATHANU PILLAI: I beg to differ, Sir. The official members have more responsibility towards the public as a whole than a mere representative of a section of them. Officials are public servants and as such they ought to be responsible to the public. I feel sir, that the non-officials and officials have in our country at least the same amount of responsibility to the public and that is why we do not find any difference in our outlook between these two sets of persons in the committees. What I want to make clear is that ordinarily in these committees, if official members do not come prepared with their subjects

and do their duty properly but behave in a manner in respect of their responsibilities and duties bespeaking indifference or negligence the same spirit supervenes and sometimes affects the non-officials as well. The actual experience of some committees has been that the official members have not been found to be earnest. I can therefore very easily imagine Mr. Velayudhan Pillai bemoaning the results of the committees' work

But in one matter I differ from him. When he was referring to the absence of the Dewan from the meetings of the Public Accounts Committee, he said he found himself helpless. I cannot agree with him. The procedure should be for the non-officials to take such a position that it should be impossible for the committee to proceed further unless the Dewan takes the Chair. I know of an instance some time back when the Chief Secretary went to Bhaktivilas and asked the Dewan to preside over the meeting of the finance committee.

PRESIDENT: I do not remember the occasion, but I thank you for the compliment.

MR. M. SIVATHANU PILLAI: I remember it and remember also being treated to tea by the Dewan. Sir, our prestige as representatives of the people is also raised by the Dewan occupying the presidential chair. And, if we put questions to the heads of departments, and they fail and cannot answer them, the Dewan has a chance to understand where the mistake lies, who is responsible for such mistakes, and how they could be remedied at once in the interest of efficient administration. And these will have a salutary effect on erring or negligent officers and departments. Whereas in the case of the Chief Secretary presiding over such committees, the case becomes different. Perhaps the Chief Secretary to Government may be able to offer explanations in cases of doubts. He may sympathise with our view points. But the real difficulty of the non-official members is, they may not be able to get all the relevant information from the concerned Head of the Department if he is so inclined. The Chief Secretary also feels helpless in the matter. The real person who is responsible to the public in the administration of the department is the Head of the Department and he is controlled by the Head of the Administration and not by the Chief Secretary who is only a co-officer. In case of doubts, when the Head of the Department finds it difficult to explain or is found to have done things not properly the Head of the Administration can note where the Departmental Head stands and in cases of necessity whether he should or should not take any disciplinary action. Errors on the part of the Departmental Head can so be corrected and there is scope for it only when the Dewan is present in such committee meetings. It is that aspect of the matter which I want to urge on the attention of the Govenment.

PRESIDENT: As I find that there are a certain number of honourable members who feel about the absence of the President, unless there is any special inconvenience, I shall make it possib'e to attend the Committees hereafter.

MR. M. SIVATHANU PILLAI: Sir, I am very much thankful. As regards the ignoring of circulars which are meant to have a salutary effect on the officers charged with proper expenditure of funds particularly in the Public Works Department, I need not dilate on the real implication of the circulars issued from time to time by Government. Every year, the amounts set apart in the budgets of the Public Works Department should be spent by the officers concerned in a proper and efficient manner. But it is found often that public works are rushed through at the fag end of the year by the P. W. D. officers to avoid surrender of funds and as a result the works suffer from want of good supervision and very often the expenditure becomes a waste. There is also a tendency on the part of the Division Officers to take up easy items of public works in a year without looking into the importance of the work and show expenditure to their credit. Sometimes it happens that contractors draw bills for works which had not been completed in that year for fear of lapse of the amount. I understand the reason for issuing circulars that each quarter of the year should show progress of work and expenditure is with a view to secure efficiency in work. Of course, Government thought it fit to issue circulars that the expenditure in the Public Works Department should be separately audited so that the proportion of the amount spent in each quarter could be easily found out and how far the public have been benefited by that. Such a circular is found to be ignored by the officers of the Public Works Department. Public Accounts Committee Reports for the past three years reveal such a state of affairs. I am extremely sorry to observe that there has been a deliberate violation of that circular. I do not know what steps are proposed to be taken to effect the observance of such circulars by the officers in the P. W. Department. All that I wish to urge on the pointed attention of Government is that violation of such circulars should be taken note of by Government and the officers in default corrected.

Another point I wish to refer in connection with the work of committees is this. Invariably I find that there has been some lack of vigilance or diligence on the part of the Secretaries or the Conveners of Committees to convene meetings at the proper time after giving sufficient notice to the non-officials as per the rules. Sometimes notices are given the previous day. I do not know how to characterise such an attitude on the part of the Financial Secretary who, it is said, has given notice of the Public Accounts Committee meeting only a day previous to the meeting. A notice recently issued said that such a meeting was to take place yesterday. I imagined that the Financial Secretary's only duty was to place the audit report and appropriation accounts formally before the Committee for their mere approval. That is not the idea which we all associate with the Committee's discussion and deliberation. There must be some time given to the non-official members to understand and study the questions involved in the proposals placed before the Committee, so that they

may profitably offer their opinions on the several problems and aspects. It is not a special feature of this committee alone where notice of meeting has not been issued at the proper time as required by the rules but in almost all committees such a thing prevails. We have found the same disadvantage in respect of the present legislative Bills. We get notices today stating that legislative business will be taken up not in accordance with the first notice but on a date curtailing the period of notice. I do not appreciate the hurry with which the legislative business is sought to be transacted in this House without giving sufficient notice and with scant courtesy to members. I do not understand why it is said that the Committee have not thought it fit to republish the Bill as revised by the Select Committee's report. Though generally the Committee is not responsible to the public, the public are very eager to know why and how the Bill is revised and framed and also the nature of the discussion carried on by the members of the Select Committee. Invariably I find that there is inordinate and un-understandable hurry in rushing through the reports of many committees. Such things should be checked because we have first of all to understand what we are asked to do and then see how best it has to be done. In such matters, we feel helpless. I would once again request Government not to rush through such important matters but to afford ample opportunities to the public and to this House to study them.

PRESIDENT: We will now proceed to the legislative business.

LEGISLATIVE BUSINESS.

THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I rise to present the report of the Select Committee on the Travancore High Court Act (Amendment) Bill. The Select Committee have not made any amendments in the substance of any of the sections. The suggestions made by the Select Committee have been to clarify and make more clear what was intended by the various sections and the report of the Select Committee has been printed and supplied to the members of the Legislature. Now then, there is the Bill along with the Committee report for consideration. There are two dissenting minutes to the report. I do not want to say anything on those dissenting minutes as in neither of them is there any proposal with regard to the clauses of the Bill. In the dissenting minute of the honourable member Mr. T. K. Velu Pillai, there is one sentence which reads to this effect. "The mover was not able to say whether the High Court expressed any opinion on the Bills." I am sorry to say that I have to object to this sentence because it is incorrect. It is untrue to say that the mover was not able to say whether the High Court expressed any opinion on the Bill. When the Committee met for discussing the High Court Act

[Mr. K. G. Kunjukrishna Pillai.]

Amendment Bill, the honourable member Mr. M. R. Narayana Pillai pointedly asked me whether the matter has been considered by the High Court and I told the members of the Committee about that point.'

PRESIDENT: The proceedings of the Select Committee are confidential.

MR. K. G. KUNJUKRISHNA PILLAI: It is not true to say that I was not able to tell the Committee whether the High Court expressed any opinion on the Bill. Every member of the Select Committee present here will support me on that point. Evidently it may be that I was not able to satisfy the honourable member as regards that point. With these words I move that the report of the Select Committee be taken into consideration.

MR. M. R. NARAYANA PILLAI: Sir, I oppose the motion. Standing Order 41 (1) says: "After the presentation of the final report of the Select Committee on a Bill, the member in charge may move :—

(i) that the Bill as reported by the Committee be taken into consideration; but any member may object to its being so taken into consideration if a copy of the report has not been made available for the use of members for seven days, or if three months have not elapsed from the date of the first publication of the Bill...........".

This Bill was published on 25th May 1943 and it was introduced in the Assembly on 1st of June 1943. Today it is only the 22nd of July. We have not even completed two months and in my dissenting note I have specially pointed out that there is no need to rush through this measure which is a very important one and without going into all the serious aspects of the problem involved therein. I also asked the member in charge of the Bill that.........

PRESIDENT: How is the honourable member going to look into all the aspects of the case in the next one month especially after the Select Committee has disposed of the Bill?

MR. M. R. NARAYANA PILLAI: I have shown all these points in my dissenting note. This is a matter in which every member of the public is vitally interested. This Bill affects not only litigants and practising lawyers but also the members of the judiciary who are functioning as Judges. I asked the honourable Legal Remembrancer to place all the relevant papers in this connection before us during the discussion before the Select Committee. It is a matter of common knowledge that the Select Committee is entitled to go into all the relevant papers and nothing should be kept back from it. It is a Committee representing the House and not a Committee of experts sitting to give opinion as to the quality of the Bill or the manner in which the Bill is to be disposed of. That is the position.

MR. K. G. KUNJUKRISHNA PILLAI: On the strength of the same Standing Order I suggest that the Standing Order be waived.

PRESIDENT: Does any other member wish to speak on this motion?

SADASYATILAKA T. K. VELU PILLAI: I have to bring one aspect of the matter for the attention of the Chair. When the Legal Remembrancer knows the rule that the President may exercise the power to suspend the rule, the application for such suspension must be made by the Legal Remembrancer before he makes the motion and not after, as is now being done. When once the matter has been disposed of in such a manner I take objection to the suggestion of the Legal Remembrancer. In other words what I suggest is, the Chair does not ratify the wrong thing that has taken place.

PRESIDENT: The honourable member is not in order. If the honourable member would look into the Rule it will be observed that after the presentation of the final report of the Select Committee on a Bill the member in charge may move that the Bill as reported by the Committee be taken into consideration. But any member may object to that being so taken on the following grounds viz., that the report has not been made available for the use of members for seven days or if three months have not elapsed from the date of the first publication and such objection shall prevail unless the President in the exercise of his power to suspend this order allows the report to be taken into consideration. That is the position. No invocation of the power of the President by anybody is necessary. Therefore, I have taken the power to allow the report to be taken into consideration.

MR. M. R. NARAYANA PILLAI: Sir, there is another point for consideration. We have received three notices as the agenda of this session. The first one is dated 13th June in which we find the official legislative business as the first item and the general discussion of the budget comes after that. Then the next one, received on the 14th July, says that financial business will be taken first and the legislative business will come after the general discussion of the budget. Again yesterday we received another notice dated 20-7-1948 changing the order of legislative business. Under these circumstances I move that the consideration of the High Court Act (Amendment) Bill may take place in the next session.

MR. M. SIVATHANU PILLAI: I second it.

The motion was put to vote and lost.

SADASYATILAKA T. K. VELU PILLAI: I move that this Bill be re-committed to the Select Committee. One reason which induces me to take this attitude is because of the information placed before the House by Mr. Narayana Pillai. The notice of that particular fact in the agenda that legislative business will come up for consideration to-day was received long after the "due time" so that under the rules we shall not be able to send in amendments in due time.

PRESIDENT : Has the necessary notice been given?

MR. K. G. KUNJUKRISHNA PILLAI : It has been published in the Gazette over 10 days back.

SADASAYTILAKA T. K. VELU PILLAI : " a member who wishes to move a motion shall give notice of his intention to the Secretary six clear days before the meeting at which he intends to move the motion". We got the agenda so late that we were not able to send in amendments within the prescribed time.

PRESIDENT : The notice came to you so late that you could not give notice of amendments?

MR. K. G. KUNJUKRISHNA PILLAI : It is certainly not a fact.

PRESIDENT : When was notice given?

MR. M. R. NARAYANA PILLAI : 14th July 1943.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI (*Chief Secretary to Government*) : There was the preliminary notice of the 12th June issued to the members, in which it was stated that official legislative business would be transacted on the 22nd and the 23rd July.

PRESIDENT : When was notice given that the Travancore High Court Act (Amendment) Bill will be taken up for consideration today?

MR. M. R. NARAYANA PILLAI : The latest notice is dated the 20th July 1943. In fact, I received it only yesterday.

PRESIDENT : The only question for me to consider is whether the notice has been given by the Secretary six clear days before the sitting of the Assembly at which the Bill is to be considered. Otherwise, any honourable member may object to the moving of the Bill. Therefore, it is necessary that the proceedings should be so conducted that notice of the proposed amendments should have been given six clear days before the sitting of the Assembly. Today is the 22nd July. Therefore by the 15th of July the notice must have been in the hands of the honourable members. Was that the case?

MR. K. G. KUNJUKRISHNA PILLAI : Sir, May I invite your attention to Standing Order 96 on page 35 of the Manual:— "......if the Bill has been amended, the Bill as amended by the Committee shall be caused by the Secretary to be printed and a copy made available for the use of every member of the Assembly. The report and the minutes, if any and, if the Bill has been amended, the Bill as amended, or such portion thereof as may have been amended, shall also, unless otherwise directed by the Committee, be published in the Gazette in the languages in which the original Bill was published".

PRESIDENT : That does not arise in this particular case.

MR. K. G. KUNJUKRISHNA PILLAI : The Bill as amended was published in the Government Gazette. If the honourable members are not prepared to send in the amendments I am not at fault. I move that the Bill be taken into consideration.

PRESIDENT : What I want to know from the Secretary is when the Bill was published in the Gazette and when it was notified that this Bill will be taken up for consideration today. Surely the Secretary should be in a position to give the dates.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, the Bill as revised by the Select Committee was published in the Gazette on the 5th July 1943.

PRESIDENT: When was notice given that this Bill will be taken up for consideration today?

SECRETARY: On the 14th July 1943.

PRESIDENT: The Secretary tells me that the notice that the Travancore High Court Act (Amendment) Bill will be taken up for consideration today went out on the 14th July 1943. On the basis of that I proceed.

MR. M. R. NARAYANA PILLAI: That is only the general notice. Generally legislative business will be taken up for consideration only after the voting of demands. The Chair generally allows 2 days for the general discussion of the budget and 7 days for the voting of demands.

PRESIDENT: I think the point of order must prevail. There has been a very regrettable want of co-ordination in this respect. According to the notice dated 14th July 1943 it is clear that the legislative business is posted after the general discussion of the budget and after the voting of demands for grants.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: The notice dated the 14th July makes no reference to dates on which particular items of business would be transacted. That is only the general agenda of the session, showing all the business to be transacted during the session. For the dates, reference has to be made to the notice of the 12th June. The final agenda for each day is usually given only later.

PRESIDENT: Any how this business cannot be taken up today. It must come after the voting of demands for grants.

THE CIVIL PROCEDURE CODE (AMENDMENT) BILL.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I rise to present the report of the Select Committee on the Civil Procedure Code (Amendment) Bill and move that the Bill be taken into consideration.

MR. M. R. NARAYANA PILLAI: Sir, I object to the motion on the same grounds as advanced before.

PRESIDENT: I do not think that I need go through all the formalities. The whole of the legislative business will be taken up after the voting of demands for grants.

Honourable members may make up their minds as to whether they may not start the general discussion of the budget tomorrow. Do the honourable members consent to it? That will only be done by general consent.

The motion was put and carried.

PRESIDENT: So the general discussion of the budget will begin tomorrow. The House will now adjourn and meet again tomorrow at 12 Noon.

The House adjourned at 1-40 P. M.

B. PARAMU,

Secretary to the Sri Mulam Assembly.

Annexure I.

REPORT
OF THE PUBLIC ACCOUNTS COMMITTEE ON THE AUDIT REPORT AND APPROPRIATION ACCOUNTS FOR THE YEAR 1116 M. E.

SECTION I.

Introductory.

Public Accounts Committee. The Public Accounts Committee is a statutory body constituted under Rule 79 of the Travancore Legislative Rules for the purpose of dealing with the Audit Report and Appropriation Accounts of the Government and such other matters as the Government may refer to it. The constitution and functions of the Committee are given in Rules 79 and 80 of the Travancore Legislative Rules and the Public Accounts Committee (Supplemental) Rules.

The Committee for the year 1117 was constituted by G. O. D. Dis. No. 175 of 41/Legis. dated 6-9-1941, composed of the following members.

(1) The Dewan of Travancore—*Chairman.*

Nominated Members.

(2) The Chief Secretary to Government.
(3) The Financial Secretary to Government.

Elected Members.

(4) Mr. Thomas Chandy Mukkadan, Member, Sri Chitra State Council.
(5) Mr. M. L. D'Cruz, Member, Sri Mulam Assembly.
(6) M. R. Ry. K. Kunju Panikkar Avl., B. A., B. L., Member, Sri Mulam Assembly.

2. *Examination of the Audit Report and Appropriation Accounts for 1116.* The Audit Report and Appropriation Accounts of the Government for the year 1116 M. E. were considered by the Public Accounts Committee for 1117 at its meetings held on 14-7-1942/30-11-1117 and 8-1-1943/24-5-1118. The proceedings of these meetings are given as Appendices A and B to this Report.

SECTION II.

Comments on the Audit Report and Appropriation Accounts.

A. General.

3. Chapter I of the Audit Report and Appropriation Accounts deals with a general review of the financial position of the State. The total revenue of the State for the year amounted to Rs. 276·79 lakhs and the total expenditure charged to Revenue to Rs. 270·16 lakhs resulting in a revenue surplus of Rs. 6·63 lakhs. The budget estimates of revenue and expenditure were Rs. 285·40 lakhs and Rs. 276·73 lakhs respectively.

4. A change in the accounting procedure relating to interest charges of commercial undertakings was introduced during the year whereby the interest charges on the capital outlay on commercial schemes which used to be directly debited to the working expenses of the schemes and

taken credit of under IX Interest Receipts were shown in the *pro forma* accounts of the schemes only and not charged to the working expenses. This resulted in an apparent fall of Rs. 8·01 lakhs under Interest receipts. But this fall did not affect the total revenue for the year as the net receipts from the commercial schemes showed a corresponding increase due to the interest charges not having been debited to Working Expenses of the concerns.

5. Another special feature was the setting apart from the revenue of the year a sum of Rs. 5 lakhs to form the nucleus of a Distress Relief Fund meant for affording relief to persons thrown out of employment and those in distress on account of the war situation.

B. General Results of Appropriation Audit.

6. A comparative statement of the total grants and the total expenditure in the voted section during the year is given below:—

		Expenditure charged to Revenue including Working Expenses under Revenue Heads.	Capital Expenditure including investments on reproductive schemes.	Debt Heads.	Total.
1	Original grant voted	2,03,30,281	51,38,378	11,05,900	2,65,71,559
2.	Supplementary grant voted	1,27,770	...	...	1,27,770
3.	Expenditure, authorised under Section 32 of Act II of 1108	1,69,555	17,932	...	1,87,487
4.	Diversion to non-voted heads	(—) 778	...	...	(—) 778
5.	Net aggregate grant	2,06,26,828	51,56,310	11,05,900	2,68,89,038
6.	Aggregate disbursements	1,93,20,310	38,07,944	6,85 997	2,38,14,251
7.	Savings	13,06,518	13,48,366	4,19,903	30,74,787

7. The total savings amounted to 11·44 per cent of the aggregate grant and is the third best during the quinquennium ending 1116 as may be seen from the following table:—

Year.	Final grant in lakhs of Rs.	Savings in lakhs of Rs.	Percentage.
1112	255·29	46·86	18·35
1113	271·29	27·69	10·21
1114	281·26	59·67	21·21
1115	261·29	26·92	10·30
1116	268·89	30·75	11·44

Savings occurred in 30 out of 37 voted grants. A list of the more important savings is given on page 37 of the Audit Report and Appropriation Accounts. The Committee examined these cases. It was observed that savings in some cases were due to difficulties in obtaining

materials. But generally, the Committee was of opinion that there was need for more correct budgeting and stricter control over expenditure by the Departmental heads and that proposals for supplementary grants should be brought forward with better scrutiny. The Committee noted that certain circulars had been recently issued by Government to the Departmental heads in that direction. In the matter of essential works of public utility such as maintenance of roads especially the Main Central Road, the Committee was of opinion that the expenditure should not be cut down but that on the other hand improvements should be speeded up in so far as the necessary material and equipments were available and that Government should take the necessary steps to achieve this object in future years.

C. Excess expenditure under voted grants.

8. The following is a list of grants under which the actual expenditure exceeded the final grant:—

Excess Expenditure over voted Grants.

S. No.	Grant No.	Name of Grant	Original Grant.	Supplementary Grant. (voted)	Expenditure authorised under S. 32 of Act II of 1108.	Diversions	Final Grant.	Actual Expenditure.	Excess over final grant.	Percentage of excess.
			Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.	IX.	15 General Administration (E) Legislative Bodies	48,600	..	..	...	48,600	48,724	124	0·25
2.	XI.	25 Medical, Public Health and Sanitation—Public Health Department and Prevention of Epidemics	2,68,800	...	..	...	2,68,800	2,83,210	14,410	5·36
3.	XX.	6 Forest	8,44,335	3,870	1,00,000	...	9,48,205	9,69,862	21,657	2·28
4.	XXI.	8 Registration	3,27,700	4,000	..	...	3,31,700	3,33,375	1,675	0·50
5.	XXV.	17 Jails	1,11,300	12,000	..	...	1,23,300	1,25,060	1,760	1·43
6.	XXXV	D. H. Other Loans	5,97,200	..	..	...	5,97,200	6,48,212	51,012	8·54
7.		Distress Relief Fund	..	..	..	..	..	5,00,000	5,00,000	..
		Total	21,97,935	19,870	1,00,000	..	23,17,805	29,08,443	5,90,638	..

9. The Committee examined these cases with reference to the explanations for the excesses given on page 42 of the Audit Report and Appropriation Accounts, further supplemented by the explanations obtained from the Controlling Officers concerned. The explanations were found to be generally satisfactory.

D. Budgeting.

10. A statement of the percentages of variations between the final grants and actual expenditure during 1116 as compared with the corresponding percentages for the four previous years is given on pages 45 and 46 of the Audit Report and Appropriation Accounts. The variations in the majority of cases are high. Though the present unsettled conditions might have to some extent contributed to the variations, the Committee was of opinion that the need for closer budgeting and control by departmental heads should be pointed out to them.

E. Control over Expenditure.

11. *Surrender of Savings.* Under Article 930 of the Financial and Account Code, whenever the head of a department finds that he cannot spend during the year any portion of the appropriation placed at his disposal he should immediately report the fact to Government. The Committee examined the various important cases of non-surrender of funds pointed out on page 50 of the Audit Report and Appropriation Accounts and obtained the explanations of the departments concerned in the matter. The explanations were found to be generally acceptable in view of the extraordinary situation arising out of the war.

12. *Unnecessary supplementary grants.* The Committee examined the cases of unnecessary supplementary grants pointed out on page 48 of the Audit Report and Appropriation Accounts. The Committee was of opinion that there was not sufficient justification for obtaining additional grants when there were savings in the existing grant to cover the proposed expenditure. The Committee however noted that certain instructions had been issued by Government recently to enable controlling officers to exercise proper watch over the progress of expenditure against budget allotment.

F. Rush of expenditure at the close of the year.

13. It was noted that, as usual, the expenditure in the P. W. D. during the last quarter of the year was out of proportion to the total expenditure of the year. This, the committee pointed out, should be avoided.

G. Supplementary grants voted and expenditure authorised under Section 32 of Act II of 1108.

14. The following is a department-war list of the supplementary grants voted by the Legislature and additional expenditure authorised under Section 32 of Act II of 1108.

Grant No.		Department.	Supplementary grant-voted.	Expenditure authorised.
			Rs.	Rs.
III	16	Administration of Justice	...	10,000
VI	15	General Administration—Revision of State Manual	...	1,263
VIII	30	Scientific and Miscellaneous Departments—Census	17,900	..
XII	31	Buildings Communications &c.	...	8,388
,,	32	Protective Irrigation	...	5,000
XIV	18	Police	...	114
XVI	22	Industries	...	1,446
		Rubber Factory (Capital Expenditure)	...	17,932
XX	6	Forest	3,870	1,00,000
XXI	8	Registration	4,000	..
XXII	7	Stamps	...	30,010
XXV	17	Jails	12,000	..
XXVII	29	Stationery and Printing	90,000	..
XXIX	30	Miscellaneous Departments—The Sri Chitralayam	...	12,093
,,	,,	Do. Museum and Government Gardens	...	350
,,	,,	Do. Game Department	...	891
		Total	1,27,770	1,87,487

H. Reappropriations.

15. There was no case of reappropriation from one grant to another during the year or any case of re-appropriation within a grant which was not in accordance with the rules prescribed by Government.

J. New Service.

16. The Financial Secretary reported that in the year under review there was no case of supplementary grant which was treated as a grant for expenditure on a 'New Service' as referred to in rule 10 of the Public Accounts Committee (Supplemental) Rules.

K. Financial Irregularities.

17. The more important of the cases of frauds or misappropriations pointed out in the Audit Report and Appropriation Accounts were examined in detail with a view to ascertain how the irregularities came about, whether they were facilitated by the inadequacy of, or any defect in, the rules or whether they were due to lack of proper supervision and whether the punishments meted out were sufficiently deterrent. Although it was considered that there were no serious defects in the existing rules, the Committee decided that Government be requested to examine the cases of frauds and misappropriations reported in respect of the Land Revenue Department to see whether some methods may not be devised to prevent such irregularities.

For the Public Accounts Committee,

Trivandrum,
2nd April 1943.

A. LAKSHMINARAYANA AYYAR.
Financial Secretary to Government and Convener, Public Accounts Committee.

Appendix A.

MINUTES OF THE MEETING OF THE PUBLIC ACCOUNTS COMMITTEE HELD AT 12 NOON ON TUESDAY THE 14TH JULY 1942 IN THE OFFICE OF THE CHIEF SECRETARY TO GOVERNMENT IN THE PUBLIC OFFICES.

Present:

The Chief Secretary to Government,
The Financial Secretary to Government,
Mr. K. Kunju Panicker, Member, Sri Mulam Assembly.
Mr. M. L. D'Cruz, Member, Sri Mulam Assembly.

Under authorisation by the Dewan, the Chief Secretary to Government presided.

The Committee took up the consideration of the Audit Report and Appropriation Accounts for 1116.

Under Rule X of the Public Accounts Committee (Supplemental) Rules, the Financial Secretary reported that there was no case of supplementary grant obtained by Government during 1116 on schemes of new expenditure treated as 'New Services' and under Rule (xi) he placed before the Committee a note calling attention to certain classes of irregularities mentioned in the Audit Report and Appropriation Accounts. The Note is given as an annexure.

Referring to the figures against items 6 and 7, the State Transport and the Clay Refining and Porcelain Factory, under column 5 on page 21 of the Report, Mr. Kunju Panicker wanted to know whether there was any loss. The Chief Secretary explained the difference between the Government system of accounts and the commercial system of accounts and said that the latter alone would indicate the correct position and referred the member to the Administration Report for 1116.

Mr. Kunju Panicker referred to paragraph 37 at page 27 and wanted to know in what sense the expression 'Public Debt' was used. The Financial Secretary explained that it referred to loans raised in the open market. He drew the member's attention to paragraph 38 to know the debt position of the State as a whole.

Referring to the statement regarding savings on voted grants at page 37, Mr. Kunju Panicker wanted to know why an additional allotment of Rs. 10,000 was made while under savings the amount is Rs. 61,120. The Chief Secretary explained the circumstances under which this allotment had to be sanctioned and added that the attention of the department was being drawn to the matter. The Financial Secretary stated that in regard to such matters generally, a circular had been sent out already.

Regarding the increase in the percentage of savings under Excise at page 39, Mr. Kunju Panicker asked whether there was not a strict supervision in making the budget estimate. The Financial Secretary referred the member to the observation at page 146 *viz.*, "the percentage of variation is very high and points to the need for closer budgeting and control,"

Pointing out that the excess over the original grant under Public Health Department as given at page 41 was very large, Mr. Kunju Panicker remarked that Government ought to have come with a supplementary demand. The Chief Secretary said that it would be pointed out to the Department.

Mr. Kunju Panicker said that his former remark applied to the Forest Department also. The Financial Secretary explained that all the expenditure previously treated as suspense under Debt Head was brought into the Service Head, that this was done late in the year and that therefore there was no time to apply for additional appropriation. He added that it would be all right from 1117 onwards.

Regarding cases of defective control Mr. Kunju Panicker wanted to know whether Government had called for explanations of the Heads of Departments and whether their explanations were received. The Chief Secretary replied that the report was issued only very recently and that explanations would have to be called for if required by the members. The Financial Secretary mentioned that a circular was being issued stating in detail how best control could be effected.

In reply to the query of Mr. Kunju Panicker why there was no surrender of funds, the Chief Secretary pointed out the necessity for keeping the funds without surrendering them, because departments like the P. W. D. had always to be ready with the funds at any time the materials arrived, and at the present juncture it was not possible to know beforehand whether or when they would arrive.

In regard to local audit and inspection, Mr. Kunju Panicker wanted to know why there was a fall in the number of institutions audited and which institutions were left out. The Financial Secretary stated that the audit was being carried out according to programme and that all the important institutions were audited. The only institutions left out were minor institutions which are being audited once in three years.

As regards Customs Audit in the Excise Department, Mr. Kunju Panicker wanted to know whether there was any necessity for both the internal audit and the outside audit and whether the latter alone would not suffice. The Chief Secretary explained that both the audits were necessary for the Excise Department. The Financial Secretary stated that the outside audit was a test audit and the audit conducted in the Accountant General's Office served as a super-audit which has been found to be necessary by past experience.

Referring to the misappropriation by a Petty Officer mentioned at page 75, Mr. Kunju Panicker wanted to know when the offence was committed, when it was detected and what action was taken. The

Chief Secretary referred the member to what was stated in para 2 (ii) of the notes on page 75 of the Report and added that the prosecution was ordered to wait as the offender had absconded.

Regarding item (ii) under frauds and misappropriations at page 77 Mr. Kunju Panicker wanted to know whether any punishment was meted out to the subordinate concerned. The Chief Secretary stated that it would be ascertained.

Regarding the cases of frauds and misappropriations given at pages 66 to 69, Mr. Kunju Panicker wanted information as to the date of the offence, the date of detection and the reason why it was not detected in the interval though there have been inspections by the Tahsildar. He remarked that invariably where the amounts involved were great, the offenders escaped with little or no punishment while in cases where small amounts were involved the offenders received severer punishments and wanted to know the reason for this unequal treatment.

Regarding the theft mentioned at page 70, Mr. Kunju Panicker wanted informatian as to whether there was no peon or watcher on duty at the Pakuthy Cutcherry on the night of the theft. The Chief Secretary stated that the information would be called for.

Mr. Kunju Panicker stated that he wanted the same kind of informatioa in regard to frauds and misappropriations in the Education and Anchal Departments, as he wanted in regard to the Revenue Department. The Chief Secretary said that the details would be called for.

Mr. Kunju Panicker wanted to know whether Government would devise measures to prevent the commission of the same kind of offences in the future. The Chief Secretary replied that the Government would try to do that.

Then Mr. Kunju Panicker said that he had a lot of other points on which he would like to have information and that he would write out the whole thing and send it to the Government so that the answers might be ready before the next meeting of the Committee. The Financial Secretary agreed to the suggestion.

The Committee adjourned *sine die* at 1 P. M.

ANNEXURE.

Rule (xi) of the Public Accounts Committee (supplemental) Rules provides that the following classes of cases shall, subject to the control of Government be reported to the Public Accounts Committee by the Financial Secretary to Government:—

(a) The incurring of expenditure without the requisite sanction.

(b) The incurring of expenditure without appropriation.

(c) Careless estimating, resulting in avoidable supplementary estimates, excess demands or unnessary lapses of grants.

(d) Breaches of the rules laid down in the Account Code.

(e) Cases of fraud or neglect in treasuries or other offices which handle Public money.

No case falling under item (a) has been mentioned in the Audit Report. As regards the others the attention of the Committee is drawn to the following portions in the Report.

Incurring of expenditure without appropriation. Para 64 of the Report dealing with excesses over voted grants.

Careless estimating resulting in avoidable supplementary estimates, etc. Para 77 dealing with important cases of defective control and para 59 dealing with savings on voted grants.

Breaches of the rules laid down in the Account Code (Financial and Account Code.) (i) Important cases of non-surrender of funds (Page 50), (ii) Irregularities in Works Outlay (Page 99), (iii) Rush of expenditure (Page 102).

Cases of fraud, etc. Paras 79 and 80 and the cases mentioned under grant No. I (pages 66— 72) and Grant No. XXXI—Anchal (Pages 133—136).

A detailed consideration of these irregularities may however be made in connection with the appropriation accounts of each grant. But the following points may be mentioned for the information of the Committee:—

(a) With a view to prevent or at least minimise the following classes of irregularities, *viz.*, (i) Obtaining of grants or appropriations which were wholly unnecessary or were in excess of actual requirements, (ii) Failure to surrender actual or anticipated savings in time as required by the rules and (iii) Allowing of budget grants to lapse, certain instructions were issued to the Heads of Departments in the matter in Circular No. Fl. 1768, dated 3-3-1942.

(b) With a view to enable controlling officers to exercise strict control over grants and expenditure, a circular containing detailed instructions is being issued.

The following points may be considered in connection with the Accounts and Administration of each grant:—

(1) *Excesses.* Whether these could have been avoided.

(2) *Savings.* Whether these were justified and there was unnecessary lapsing of funds.

(3) *Supplementary Grants.* Whether this could have been avoided by foreseeing and providing for the expenditure in the budget or by meeting the expenditure from savings in the existing grant.

(4) *Non-surrender of funds.* Whether there was sufficient excuse in not surrendering the funds as required by rules. The rule on the subject is given in Article 930 of the Financial and Account Code.

(5) *Frauds and other irregularities.* It has to be considered how the irregularity came about, whether it was facilitated by the inadequacy of or any defect in the rules or whether it was due to lack of proper supervision and the consequent violation of the rules. In the former case the Committee may advise the Government as to how the existing rules may be amplified or modified to remedy the defect disclosed and in the latter determine whether the officers incurring the expenditure had any justification or excuse for their action and if so what.

Appendix B.

PROCEEDINGS OF THE MEETING OF THE PUBLIC ACCOUNTS COMMITTEE.

Friday, 8th January 1943.

Present:

1. M. R. Ry. Rajyasevapravina G. Parameswaran Pillai Avl., (Chief Secretary to Government).
2. Mr. Thomas Chandy Mukkadan, (Member. Sri Chitra State Council).
3. Mr. M. L. D'Cruz, (Member, Sri Mulam Assembly).
4. Mr. K. Kunju Panicker, (Member, Sri Mulam Assembly).
5. Mr. A Lakshminarayana Ayyar, (Financial Secretary to Government.)

The Committee met at 12 noon in the Chief Secretary's office. Under authorisation by the Dewan, the Chief Secretary to Government presided. The discussions of the day were mainly based on the questions sent to the Financial Secretary by the non-official members. Further information in respect of these questions were embodied in a consolidated statement and placed before the Committee—*vide* Statement attached.

Advances Repayable.

Mr. Kunju Panicker stated that the estimated disbursement was Rs. 2·41 lakhs while the actuals came to Rs. 12·95 lakhs and expressed the view that such transanctions could have been made after obtaining the sanction of the Legislature. The Chief Secretary replied that these were Debt Head transanctions not requiring the vote of the Legislature and explained the circumstances in which such heavy transactions became necessary.

Accounts with Foreign States.—Mr. Kunju Panicker pointed out that the difference that has occurred between the estimate and the actuals was so large that it could not be considered healthy from the point of our finances. The Financial Secretary pointed out that they could only go by previous actuals in regard to these estimates and no exact anticipation could be made and further that these represented only adjustable items.

With regard to the Outside Audit conducted by the Accountant General's Office, Mr. Kunju Panicker enquired what the purpose of a "double audit" was. The Financial Secretary stated that outside audit was conducted with reference to initial records in the Departmental offices and the audit in the Accountant-General's Office was conducted on the paid vouchers received in that office and both the kinds of audit were essential.

Distress Relief - Mr. Kunju Panicker observed that no legislative sanction had been obtained for the expenditure under this item and that therefore the procedure was irregular. He pointed out that no member of the Legislature would have objected to grants of that nature. The Financial Secretary drew the attention of the member to the explanation given on page 42 of the Audit Report and Appropriation Accounts and to para 7 of the Dewan-President's statement reported on page 31 of the Sri Mulam Assembly Proceedings dated 4th December 1941.

Cases of irregularities.—(Land Revenue Department). With respect to irregularities the non-official members enquired whether investigations had been completed and if so the further action taken thereon. They also stated that they had noticed that in the case of minor offences punishments were dismissals and criminal prosecutions and in major offences they were only of the nature of suspensions and fines. They enquired also whether the irregular practices were repeatedly committed by the same departmental officers, and why the frauds and misappropriations noticed were not detected before even though there were inspections by departmental officers in the interval. They stated that remedial measures could be suggested if the process by which crimes, major or minor that were committed had been revealed to them. As an instance, Mr. Kunju Panicker said that in the case of tax paid to the Revenue Department the persons concerned should be asked to submit to Government statements of tax paid by them after their last instalment payment and that they should be informed that if this is not done, Government would not be liable for any money misappropriated by the subordinates of the department.

The Financial Secretary asked whether Government could legally insist on such statements and ask the party to pay the tax again in the face of receipts already granted by the revenue authorities.

Mr. Kunju Panicker replied that such statements were intended for the purpose of finding out the discrepancies, if any, as between the payments made by the tax-payer on the one hand and that accepted by the revenue authorities on the other.

The Chief Secretary said that the matter would be looked into in the light of the observations made by the member.

General Administration (Savings):—Mr. Kunju Panicker pointed out that a budget allotment was made in order to spend and not to save. In certain cases, the saving had become a matter of routine as it were and said that it was a harmful practice. The Committee was of opinion that the need for proper budgeting and control by the departmental heads should be pointed out to them. It was also pointed out in this connection that in coming forward for supplementary grants, the departmental heads should exercise greater discretion and the sanctioning authorities should bestow proper scrutiny.

The Chief Secretary explained to the Committee that circulars had been recently issued asking the departmental heads to be very careful in this respect and to avoid coming up for unnecessary supplementary grants.

Education (Surrender of funds) :—Mr. Kunju Panicker pointed out that in the Education Department, especially, more accurate anticipations were possible. There was no need for surrendering the excesses.

The Chief Secretary explained that as a matter of policy due to extraordinary conditions, circulars were issued in 1116 to the effect that no unnecessary item of expenditure should be incurred. Further, leave vacancies might not have been filled up. These were the reasons for the savings.

Census (additional grant in excess of requirements) :—Mr. Kunju Panicker wanted to know the need for an additional grant when the original budget grant itself was not spent in that department. He brought out the need for very close scrutiny by Government in the matter.

The Financial Secretary said that instructions had been issued in the matter.

Public Works :—Mr. Kunju Panicker pointed out that in the matter of essential works of public utility, certain roads including the M. C. Road which are used for traffic purposes were not being properly maintained. The expenditure should on no account be cut down but such improvements should be speeded up in so far as materials and equipment are available.

The Chief Secretary assured that stringent steps would be taken by Government to achieve the result desired, in future years.

In respect of surrender of funds allotted for P. W. D. works it was emphasised that such things should never happen. The members pointed out that if it was found that a particular work could not be carried out, no provision should be made for it.

Savings under productive irrigation :—Mr. Kunju Panicker stressed that such items of expenditure being essential and sufficiently known early, there was no point in showing savings. In this connection, Mr. Panicker drew the attention of Government, for the supply of water in an important area where it was not available.

The Chief Secretary pointed out that further sinking of tube wells in the area referred to had been ordered and that the work was proceeding.

Mr. Kunju Panicker next drew the pointed attention of Government, to the irregularity of starting work without estimates. He strongly deprecated such courses. In the P. W. Department, especially, he opined, that no item of expenditure should be incurred without an estimate. By so doing, he said, that there was every chance of committing fraud and misappropriation of Government funds. Reappropriation by the departments themselves should always be discouraged. He then pointed out that the department has a peculiar habit of rushing with expenditure on essential improvements during the close of the year at seasons of heavy rains. That should be avoided because such work results in waste of money and energy. At the same time the department should be asked to do the work entrusted to it more or less in a gradual way in the best manner possible during the year.

Police (unnecessary supplementary grant):—The members expressed the view that great care ought to be taken in estimating budget items.

Transport—Mr. Kunju Panicker said that in most of the passenger buses, seating arrangements and their top portions needed repair. Minor repairs like screwing of nuts should be looked into. The bursting of tyres has become a common feature and this indicates carelessness of the drivers. All these have to be looked.

The Chief Secretary said that these would be brought to the notice of the Director of Transport for immediate action.

The non-official members of the Committee expressed their appreciation of the manner in which the proceedings were conducted and requested the Chairman to place the fact on record.

The Committee closed its sittings at 2-30 P. M.

STATEMENT No. I.

Points of a general nature.

Points on which information was required.	Information furnished.
I. PAGES 8 AND 9 OF THE AUDIT REPORT AND APPROPRIATION ACCOUNTS.	
1. *Depreciation and Reserve Funds.* (a) Though the budget estimate under this head was Rs. 3 34 lakhs, the actual receipt fell short by Rs. ·91 of a lakh. Under what head has the difference occurred?	(a) The difference has occurred under— (i) Depreciation Fund, Ceramic Factory and (ii) Electrical Reserve Fund.
(b) The estimate of disbursement under this was Rs. ·64 of a lakh but the actual expense fell short by Rs. 0·3 of a lakh. Under what head has the difference occurred?	(b) Electrical Reserve Fund.
2. *Advances repayable.* The estimated income under this was Rs. 4·17 lakhs but the actual income was Rs. 13·71 lakhs. The estimated disbursement was Rs. 2·41 lakhs. The actual expense was Rs. 12·95 lakhs. Why is it that such vast differences occurred, both under receipts and disbursements?	2. (a) Due to transactions arising out of rice and charcoal advances for which no provision was made in the budget on the debtor side (*vide* pages 15 and 16 of the Audit and Appropriation Report for 1116). (b) It may also be stated that these estimates are not subject to vote, being of the nature of banking transactions.
3. *Coinage Account.* The estimate was Rs. 4·20 lakhs. The actuals were ·34 of a lakh. Actual disbursement is nil. How is it that such vast differences occurred?	3. The variation was due to the silver coins minted at Bombay and expected to be received here in 1116 itself having arrived only in 1117 and no payment having been made in consequence in 1116 (*vide* pages 15 and 141 of the Report.)

STATEMENT No. I.—*contd.*

Points on which information was required.	Information furnished.
4. *Accounts with Foreign States.* (i) The estimated receipt was Rs. 24·91 lakhs. The actuals were Rs. 34·98 lakhs. Estimated disbursements were Rs. 24·21 lakhs, Actuals were Rs. 36·17 lakhs. How is it that such vast differences occurred ?	4. (i) and (ii). The differences have occurred mainly under 'Post Office transactions' (*vide* 2 (b) above).
(ii) Under what heads have the difference occurred ?	
(iii) From what item of money were the extra expenses incurred ?	(iii) There is no question of extra expenses involved since the excess payments under the head are subsequently recoverable.
(iv) Was there any sanction for the extra expense ?	(iv) No sanction is necessary being a debt head transaction.
5. *Suspense.* (i) The estimated receipts were Rs. 19·06 lakhs. The actuals were Rs. 31·01 lakhs. Disbursements estimated were Rs. 38·71 lakhs. Actuals Rs. 68·02 lakhs. How is it that such vast differences occurred ?	(i) *Vide* explanations given on pages 15 and 16 of the Audit and Appropriation Report for 1116.

STATEMENT No. I.—(contd.)

Points on which information was required.	Information furnished.
(ii) Under what heads have the extra income and expenses arisen ?	(ii) The items do not relate to income or expenditure. The differences occurred under Savings Bank suspense, cheque suspense and Central Banking Corporation suspense accounts which will eventually be cleared.
(iii) How is it that Rs. 20 lakhs more than the receipts were estimated for the disbursements ?	(iii) During 1115, due to a change in the accounting procedure, the share due to this Government from the Cochin Harbour receipts for 1938—39 was advised before the close of that year, in addition to the share for 1937—38, which was also adjusted in the accounts early in the year. In order that the revenue account might not be inflated by this second instalment, the amount was credited to 'Objection Book Suspense Receipts' to be adjusted to the proper revenue head in 1116. To show this adjustment in 1116, a debit of about Rs. 17 lakhs had to be shown in the budget under 'Objection Book Suspense Receipts'. This mainly accounts for the increase (*vide* also para 20 of the Financial Secretary's speech introducing the budget for 1116).

STATEMENT No. I—(*contd.*)

Points on which information was required.	Information furnished.
6. *Surplus investments and bullion account.* (i) The receipts estimated are Rs. 20 lakhs. The actuals are Rs. 4·07 lakhs. The disbursements estimated are nil. The actuals are Rs. 40·81 lakhs. How is it that such vast differences occurred ? (ii) Under what heads has the income fallen ? (iii) Under what head has the expense exceeded the estimate ?	6. Explained on pages 15 and 16 of the Audit and Appropriation Report for 1116. The budget anticipated a withdrawal of Rs. 20 lakhs from surplus investments for financing capital works, etc. But due to the slow progress of the capital works the withdrawal was not necessary and this explains the variation under receipts. On the debtor side, the increase is due to the investment of the surplus of Rs. 30·54 lakhs in short-term deposits in Banks and Rs. 6·11 lakhs as shares and deposits in industrial concerns to earn interest. Both these investments were not contemplated in the budget. No income or expenditure is involved.
7. *Loans.* (i) The estimated receipts were Rs. 4·91 lakhs. Actuals were Rs. 6·60 lakhs. Disbursement estimated was Rs. 18·19 lakhs. Actuals were Rs. 12·36 lakhs. Under what heads has the extra income come ?	7. (i) Extra incoming is mainly under 'Special Loans' (Rs. 1 lakh) and 'Miscellaneous Loans and Advances' (*vide* page 15 of the Audit and Appropriation Report for 1116).

STATEMENT No. I—(*contd.*)

Points on which information was required.	Information furnished.
(ii) How is it that the estimated disbursements were not made?	(ii) The main items responsible for the decrease are (*a*) Agricultural loans (Rs. ·43 of a lakh) due to entrusting the work of granting agricultural loans to the Credit Bank and (*b*) Loans to the Shencottah Municipality (Rs 1·69 lakhs) due to the non-adjustment of half the capital expenditure incurred on the Shencottah Water Supply scheme by debit to the Municipality as originally contemplated in the budget, since the work was not completed during the year. The total decrease offset by an increase under 'Miscellaneous loans and Advances' accounts for the net variation.
8. *Remittances.*	
(i) The estimated receipts were Rs. 422·20 lakhs. Actuals were Rs. 505·02 lakhs. Disbursements estimated were Rs. 421·15 lakhs. Actuals Rs. 491·84 lakhs. How is it that such vast differences occurred.	8. (i) This group-head comprises all merely adjusting heads, *e.g.*, cash remittances from one treasury to another, Anchal hundies, P. W. D. and P. A. D. cheques, etc., the transactions under which do not by their very nature admit of an accurate estimate. Variations are therefore inevitable.

Points on which information was required.	Information furnished.
(ii) Under what heads have the differences come?	(ii) Mainly under Anchal Hundies, P. A. D. cheques, P. W. D., Electrical and Anchal Remittances, etc.
(iii) Where did the extra expenses come from?	(iii) The extra disbursements were in adjustment of extra receipts or receipts subsequently to be realised.
(iv) Was the Legislative sanction secured before the extra expense was incurred?	(iv) No. No legislative sanction is necessary as it is not a final expenditure and the remittance head is only an adjusting head.
9. *Total Debt Head.*	
(i) Receipts estimated were Rs. 690·56 lakhs. Actuals were Rs. 824·8 lakhs. Expenditure estimated was Rs. 689·58 lakhs. Actuals were 852·45 lakhs. How is it that great differences occurred?	9. (i) The variation under Debt Head receipts and disbursements represents the net total of the variations under the detailed heads. It may be noted that the head 'Remittances' itself accounts for the difference of Rs. 82·82 lakhs on the credit side and Rs. 76·69 lakhs on the debit side, the other important variations being under 'Departmental and other deposits', 'Advances repayable', Accounts with Foreign States, Suspense and surplus investments.

STATEMENT No. I—(contd.)

Points on which information was required.	Information furnished.
(ii) Where did the additional money for the expense come from?	(ii) The total outgoing under Debt Head in excess of budget estimate was Rs. 162·87 lakhs against which there was an excess incoming of Rs. 133·52 lakhs. The balance was met from the general cash balance of the State.
10. Total Receipts. (i) Estimated Income was Rs. 999·20 lakhs Actuals were Rs. 1127·25 lakhs. Expenses estimated were Rs. 1038·37 lakhs. Actuals Rs. 1182·84 lakhs. (ii) How is it that such vast differences occurred?	10. (i) and (ii) The differences in the total receipts and disbursements follow from those under Debt Head receipts and disbursements
(iii) How is it that expenses more than the income was estimated?	(iii) The revenue transactions and the Debt Head transactions were estimated to balance individually and to leave by a small surplus. But in the capital section, an amount of Rs. 48·56 lakhs had to be provided for, for expenditure on capital works, against which the capital receipts were estimated at Rs. 3 lakhs only. The balance of about Rs. 45 lakhs was therefore necessarily a net outgoing and resulted in the total disbursements being in excess of total receipts.

STATEMENT No. I.—(*contd.*)

Points on which information was required.	Information furnished.
II. Page 52, General.	
1. What are the departments for which departmental auditors are separately provided?	1. Departments for which departmental auditors are separately provided are:— Education and Customs.
2. Are such departmental accounts audited by the Outside Audit Department?	2. A test audit of some of the institutions in these departments is conducted.
3. Have any irregularities and differences been noted by the outside Audit Department?	3. Yes.
4. Is the annual auditing of all the departments conducted by the Outside Auditors?	4. Almost all important institutions such as Divisional Treasuries, P. W. Division Offices, Divisional Forest Offices, Office of the Anchal Superintendent, are being audited every year. Inspection of Sub-Treasuries are so conducted that all the sub-treasuries in the State may come under the inspection of the Audit Department once in three years. Besides these, accounts of institutions where there are large items of receipts, expenditure or stores are locally inspected annually or as often as possible at longer intervals.

STATEMENT No. I.—(*contd.*)

Points on which information was required.	Information furnished.
	The inspection is of the nature of a test audit without weakening departmental control or responsibility.
5. The accounts of 208 offices were audited in 1116 as against 267 offices in 1115 by the Outside Audit Department. Why is it that the work of the Outside Auditors fell so low in 1116?	5. The fall in the number of institutions audited by the O. A. D. during 1116 was due to the abolition of the Special Audit Officers and staff for the Judicial and Devaswom Departments from 1-8-1115.
III. PAGE 41.	
1. *S. No. 6—XXXV. D. H. Other Loans.* Excess Rs. 5,112. Why was Legislative sanction not taken?	1. The excess exhibited itself only in the Karkatakom accounts when it was too late to obtain the vote of the Legislature.
2. *S. No. 7—Distress Relief.* Excess Rs. 5,00,000. Why was not Legislative sanction taken?	2. Explained in item 7, page 42 of the Audit and Appropriation Report for 1116. It was decided to treat the item as voted only after the year 1116 had closed—*vide* also para 7 of the Dewan-President's statement at the Sri Mulam Assembly on 4-12-1941 (Page 81 of the Assembly Proceedings dated 4-12-1941.)

STATEMENT No. I.—(*contd.*)

Points on which information was required.	Information furnished.
IV. Page 54, para 87. What was the final result of the proceedings which were not completed with reference to the irregularities pointed out in the Audit Report of 1115 in Appendix B.	IV. Cases of irregularities, mentioned in Appendix B of the Audit and Appropriation Report for 1115 as pending final disposal during that year were incorporated in Appendix B of the Report for 1116 giving details regarding either how they have been finally disposed of or what further action has been taken thereon during that year. Cases pending final disposal in 1116 are pursued in 1117 and the Audit and Appropriation Report for 1117 which is under preparation, will furnish the further history of the outstanding cases. It may also be mentioned that some of these pending cases have been finally disposed of while others are still under correspondence.

STATEMENT No. 11.

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
CHIEF SECRETARY TO GOVERNMENT.	
I. *Land Revenue Department.*	
2. Frauds and misappropriations reported on pages 66 to 70 of the Report.	
Further information required regarding :—	
(i) The dates on which the offences or irregularities were committed.	Information in respect of frauds and misappropriations Nos. 2, 3, 4, 5, 6, 8, 9 and 12 furnished by the Division Peishkars were placed before the Committee.
(ii) The dates of detection.	
(iii) Who detected the offences ?	
(iv) The reason why they were not detected before even though there have been inspections by Departmental officers in the interval.	
(v) The reason for unequal treatment of offenders *i. e.*, light punishment where large amounts were involved and severe punishment where small amounts were involved.	

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
(vi) Have the various persons concerned been involved in such irregularities before and if so how many times? What was the action taken before?	
(vii) Have the Controlling Officers of the Departments concerned discovered any of the irregularities?	
(viii) Have the Government done anything to prevent the repetition of the irregularities noted? If so what are they?	
2. Regarding the theft mentioned at page 70, whether there was no peon or watcher on duty at the Pakuthy Cutcherry on the night of the theft.	
VI. *General Administration excluding Financial Secretariat, the Accountant-General's Office and Legislative Bodies.*	
1. Explanation for the savings amounting to Rs. 23,792 (7·25 per cent.) in the final grant of Rs. 3,27,963 (Pages 58 and 84 to 86 of the Report.)	1. Please see explanations given on pages 84 to 86 of the Report.

STATEMENT No. II—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
2. Explanation for the unnecessary suplementary grant of Rs. 1,263 (expenditure authorised under Section 32 of the Legislative Reforms Act) Reported on page 48 of the Report.	2. The additional allotment of Rs. 1,263 was sanctioned under Section 32 of Act II of 1108 for meeting the expenditure in connection with the payment of remuneration for correcting the proof pages of the revised State Manual as no saving was or could be anticipated under the existing provision under 15 General Administration.
3. Explanation for the reappropriation of funds amounting to Rs. 3,100 and Rs. 2,000 under 15 (A) (i) Secretariat and 15 (A) (ii) Department of Information respectively in excess of actual requirements (reported on page 84.)	3. (i) Rs. 3,100 was reappropriated from 15 (19) Acts and Proclamations to the following :— 1. Rs. 2200 to 15 (A) T. A. to Establishment 2. Rs. 400 to 15 (A) T. A. to Officers 3. Rs 500 to 15 (A) Private Secretary's Office contingencies, as it was not possible to anticipate savings under 15 (A) (ii) Rs. 2,000 was diverted to 15 (a) (ii) as the balances available under the various detailed heads under contingencies were inadequate to carry on till the close of the year.
4. Explanation for the excess expenditure of Rs. 340 under 15 (f) Legal Remembrancer (page 85)	4. Due to revision of pay of the Head Clerk from 10-10-1115 and on account of payment of leave allowances.

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
5. Expenditure under revision of the State Manual (page 85). Why was no provision made in the Budget?	5. The work was expected to be finished by the end of 1115.
6. Explanation for the large savings in the provision under Revision of Acts and Proclamations (page 86)	6. The work of consolidation and revision of the Statutes was not undertaken by Government. It was decided to issue only Vol. XI to match with the previous volumes. The decision was made so late during 1115 that surrender of the funds was also not possible.
XXXIII. *Agricultural Loans*. Explanation for the savings amounting to Rs. 42,521 (85·04 %) in the allotment of Rs. 50,000 (page 87)	The explanation is given on page 188 of the Report
HIGH COURT.	
III. *Administration of Justice.*	
(i) Explanation for the savings (5·45 per cent.) reported on pages 87 and 77.	(i) Due to the vacancies in the ministerial establishment of the Subordinate Courts being not filled up. Short vacancies also not filled up in view of the circular to economise expenditure.

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
(ii) Explanation for the unnecessary supplementary grant of Rs. 10,000 (authorised under Section 32) reported on page 48.	(ii) The additional allotment was sanctioned under Batta to Prisoners towards the close of 1116 and hence not spent in full. The savings under salaries and establishment were not anticipated earlier.
(iii) Frauds and misappropriations reported on page 77 to be furnished with information on all the points mentioned under Land Revenue (as far as they would apply)	(iii) The High Court has stated that the deficit amount of Rs. 68-23-4 noticed in the N. P. D. Accounts was recovered from the persons responsible and credited to accounts.
DIRECTOR OF PUBLIC INSTRUCTION.	
IV. *Education.*	
1. Surrender of funds reported on page 32. Why amounts in excess of requirements were provided necessitating the surrender of such large sums.	1. The savings were due to (i) leave, retirements and adjustments and alterations in the personnel of the staff; (ii) restrictions imposed in computing expenditure for purposes of grant-in-aid to private English Schools; and (iii) all items of expenditure which could be possibly postponed were postponed and strict economy was exercised.
2. Frauds, misappropriations, etc., reported on page 83. To be furnished with information regarding date of offence, etc.	2. (i) Dhanu 1116 before the Christmas holidays. Detected by the Headmaster early in Makaram 1116.

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Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
CENSUS COMMISSIONER.	
VIII. *Census.*	
Explanation for savings (4·01%) reported on page 88 and why additional grant in excess of actual requirements was obtained.	Due to economy exercised by not appointing substitutes in short vacancies and in contingencies. The additional grant was obtained under 'Payment of remuneration to enumerators and supervisors' and allowances to 'Investigators'. The savings under these two items were negligible being about Rs.31-14-0 and Rs. 1-11-8 only respectively.
SURGEON-GENERAL.	
X. *Medical.*	
Explanation for the excess expenditure of Rs. 482 under (a) Superintendence and for savings under the minor heads (b) and (c)—page 90.	The excess under (a) Superintendence is due to adjustment of certain items under this head although debitable to 25 (b) Hospitals and Dispensaries. Savings under 25 (b) due to strict economy without sacrificing efficiency and discontinuance of the allowance of Rs. 400 given to Dr. W. A. Noble, paying instead Rs. 100 to Dr. K. P. Raman Pillai, appointed in his place. Saving under (c) due to the Midwifery class in the Victoria Hospital, Quilon having been opened only in Meenom 1116 although provision was made for the whole year.

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
DIRECTOR OF PUBLIC HEALTH.	
XI. PUBLIC HEALTH AND SANITATION.	
1. Explanation for the excess expenditure of Rs. 14,410 (5·38%) reported on page 41. Why was no supplementary grant obtained?	1. The excess is made up of several small items. The main items which have caused the excess are (*a*) other charges and (*b*) prevention of epidemics. Under (*a*), one Municipality has not contributed half the total expenditure for mosquito control carried out on its behalf and in certain cases the contributions have been credited as receipts instead of being treated as reduction of expenditure. (*b*) is controlled by several departments. The expenditure is also dependant on the prevalence of epidemics and the remedial measures resorted to.
2. Explanation for the savings in the provision under the minor heads (*a*) Public Health Office Rs. 462, (*c*) District Health Offices Rs. 1,907 and excess Rs. 5,885 under (*f*) other charges and Rs. 13,759 under Prevention of Epidemics. (*vide* Pages 91 and 92 of the Report.)	2. (*a*) Savings are spread over establishment and travelling allowance charges. (*c*) Savings due partly to a junior officer having been posted as District Health Officer in place of a Senior Officer and partly under T. A. & Contingencies due to the exercise of strict economy. For the excess, please see above against 1.

STATEMENT No. II.—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was furnished.	Information furnished.
CHIEF ENGINEER. XII PUBLIC WORKS DEPARTMENT. 1 Explanation for the savings amounting to Rs. 12,98,994 (20·00%) reported on page 37.	1. The following reasons are adduced by the Department for the savings :— (i) Only essential maintenance works were carried out during the year although the usual provision was made in the budget. (ii) Provision of Rs. 10,000 for supply of drinking water to South Travancore and Shencottah,—work not completed due to intervention of the Standing Committee in settling programme of work. (iii) Delay in getting possession of lands for works to be commenced and delay in getting sanction to estimates. (iv) Onset of unseasonal rains and the flooding of tanks in the Kodayar Project. (v) Tools and Plant. No special tools were purchased during the year.

STATEMENT No. II.— (*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
	(vi) Capital works contemplated under Buildings and Communications were not taken up during the year. (vii) Provision of Rs. 1 lakh for University Buildings remained unspent as funds for works were made available by the University. (viii) Savings in establishment due to non-filling of short vacancies, limiting T. A. and contingencies to the barest minimum. (ix) The contract for the Kozhencherry bridge having been fixed only late, the full provision of Rs. 50,000 could not be spent. (x) Due to delay and difficulty in getting materials, water supply and drainage works could not be pushed through. (xi) Supply of stone-ware pipes by the Ceramic Factory did not keep pace with demand.
2. Explanation for non-surrender of funds reported on page 50.	2. (i) University buildings Rs. 1 lakh. The amount reserved for adjustment of a share of expenditure on the reorganisation of the P. W. D. Workshops in co-ordination with the faculty of Technology. This adjustment was not possible due to delay in settling the proportionate share of debits.

Name of Controlling Officer, Grant Number and Points on which information was required.	Information furnished.
	(ii) Mofussil Water Supply Schemes Rs. 1,15,242. Works not taken up due to non-receipt of materials ordered, due to war (iii) Drainage Scheme Rs. 1,02,583. Due to delay in getting materials, work could not be pushed through.
3. Explanation for savings under items - (b) Executive Rs. 2,46,542, XXV. Productive Irrigation Working Expenses Rs. 53,060, University Buildings Rs. 1,08,923, Construction of a Tobacco Bankshall Rs. 29,984 Clay Refining and Porcelain Factory Rs. 10,000 and Willingdon Water Works—Working Expenses Rs. 2,132.	3. (b) Executive. The reasons stated in (i) above apply here also. Productive Irrigation Working Expenses. Intervention of rains hampered the progress of works. University Buildings Vide item 2 (i) above Construction of a Tobacco Bankshall. Due to delay in getting possession of lands. Clay Refining and Porcelain Factory. The expenditure was transfer-debited to Capital Expenditure Clay Refining and Porcelain Factory *vide* also the explanation given on page 95 of the Audit Report and Appropriation Accounts. Willingdon Water Works. Working Expenses. Due to non-purchase of tools and plant and boats for silt removal.
4. Explanation for excess expenditure under Protective Irrigation Rs. 1,180 (page 93) and Town Planning Scheme Rs. 2,064 (Page 94).	4. Protective Irrigation. Due to debit of the general establishment and tools and plant charges on a pro-rata basis and the adding of old maintenance charges Town Planning Scheme. Due to taking up of a few important schemes in the city not provided for in the budget-Excess involved is small.

STATEMENT No. II—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
5. Non-accounting of stores reported as item 3 (i) on page 99.	Action is being taken by the Chief Engineer.
6. Explanations or further information regarding the items of expenditure on works without estimates or in excess of sanctioned estimates reported on pages 99 and 100.	6. Excess expenditure—page 100 of the Report. (1) Net Excess Rs. 270 sanctioned by the Chief Engineer. (2) Under correspondence with Division Officers. (3) to (5) Do. Do. (6) 40·18 cents of land actually taken up for the work against 37·82 cents proposed. Hence the excess. Since sanctioned by Government Fl. 2563 dated 28-4-1941.
7. Do. cases of injudicious reappropriation of funds reported on page 101.	7. The reappropriations are proposed by the Division Officers. The excesses arise later due to unforeseen circumstances and such cases are few. Every endeavour is being made to restrict such instances.
8. Explanations or further information regarding rush of expenditure reported on page 102.	8. The Chief Engineer explained that rush of expenditure was avoided wherever possible and that owing to the delay in sanctioning the estimate and completing other necessary formalities incidental to a work, rush of expenditure was sometimes unavoidable.

Name of Controlling Officer, Grant Number and Points on which information was required.	Information furnished.
ELECTRICAL ENGINEER.	
XIII. ELECTRICITY AND TELEPHONE.	
(1) Explanation for the non-surrender of funds reported on page 50.	1. The large savings are stated to have been the effect of a change of accounting procedure *vide* page 106 of the Report. As the materials ordered for works in connection with the Trunk Telephone and Radio Broadcasting were expected to be delivered any day, the funds thereunder could not be surrendered.
2. Appropriation accounts in respect of Trivandrum Electric Supply, Pallivasal Electric Scheme and Trunk Telephone page 104.	2. *Vide* (1) above.
3. Further information regarding thefts reported on page 106 (to be furnished with information as in the case of the Land Revenue Department *vide* page 1 supra).	3. Detailed information furnished by the Electrical Engineer was placed before the Committee.
INSPECTOR GENERAL OF POLICE.—XIV—POLICE.	
1. Explanation for the unnecessary supplementary grant (authorisation under Section 32) reported on page 48.	1. Rs. 114 sanctioned on account of additional staff for the Museum Guard for 2 months in 1116.
2. Explanation for the savings under Inspector General of Police and District Police reported on page 107.	2. Due to curtailment of avoidable expenditure whenever and wherever possible and also on account of unforeseen reasons.

STATEMENT No. II.—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished
DIRECTOR OF AGRICULTURE—XV. AGRICULTURE.	
1. Explanation for the savings reported on pages 37 and 109.	1. Due to exercise of rigid economy and partly due to non-payment of grant to the Cattle Breeding Co-operative Society.
2. Explanation for the excess expenditure under (a) Direction and (a) (i i) Scheme for the improvement of paddy (pages 108 and 109).	2. (a) (i) Due to debit of cost of the Hay Press which was not actually provided for under this head. (a) (ii) There was no provision for pay and allowances of the staff under this item. The scheme partly financed by the Imperial Council of Agricultural Research was started after the final budget for 1116 was issued. There was however provision under 22 (b).
3. Appropriation accounts relating to Agriculture, Marketing Officers, Dairy Farm, Poultry Farm and Fisheries.	The Dairy Farm was leased out to the Palace on 1-2-1116 Rs. 24.488 out of the sanctioned grant surrendered and Rs. 2.567 diverted to other heads. Final savigns only small. Excess under Fisheries due to debit of pay of staff for Karkatagom 1116 when there was no provision in the budget. (The Fisheries Department was transferred to the University from 1-1-1116).

STATEMENT No. II—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
DIRECTOR OF INDUSTRIES—XVI. INDUSTRIES.	
1. Explanation for the savings reported on page 37.	
2. Do. for the savings under (a) Direction and (b) Industrial Education and Grants to Industrial Institutions. (Page 110).	1, 2 and 3. Short explanatory notes are given on pages 110 and 111 of the Report.
3. Appropriation accounts relating to Sales Depot, Rubber Factory and Administration of Labour Laws (page 111).	
XXXIV. INDUSTRIAL LOANS.	
1. Explanation for the savings reported on page 37.	Savings due to the enquiries on the several pending applications not having been completed during the year and to the rejection of a number of applications for loans on account of unsatisfactory security.
CERAMIC EXPERT—XVI. CLAY REFINING.	
Appropriation accounts relating to Capital accounts of the Clay Refining and Porcelain Factory	Please see the explanation given on page 112 of the Report in regard to savings.

STATEMENT No II—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
PROTECTOR OF BACKWARD COMMUNITIES—XVIII. UPLIFT OF BACKWARD COMMUNITIES.	
Appropriation accounts given on page 114.	Savings under T. A. and contingencies due to economy: under Industrial grants due to want of requisitions and under Common Buildings due to the parties who undertook the work having not completed it during the year.
CONSERVATOR OF FORESTS—XX. FORESTS.	
1. Explanation for the excess expenditure of Rs. 21,657 reported on page 41 and why supplementary grant was not obtained.	Please see the explanation given on page 116 of the Report.
2. Explanation for the excess expenditure under Conservancy and works (page 116).	
3. Explanation for the savings under Director of Development (page 116).	Do. do.
4. Further information regarding irregularities etc. reported on page 117 (Information to be furnished on the lines mentioned under Land Revenue, *vide* page 1 supra).	Detailed information furnished by the Conservator of Forests was furnished to the Committee.

STATEMENT No. II—(*contd.*)

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
DIRECTOR OF REGISTRATION—XXI. REGISTRATION.	
Explanation for the excess expenditure reported on page 41 and page 118.	The excess is (only. 5 per cent.) due to payment of leave allowances.
SUPERINTENDENT, CENTRAL PRISON—XXV · JAILS.	
Explanation for the excess expenditure reported on pages 41 and 122.	1. Telephone charges Excess Rs. 50 due to calls to and from Alleppey Prison. 2. Water Supply charges Rs. 610 } 3. Electric Current Rs. 383 } Due to increase in the number of prisoners etc. 4. Maintenance of Electric Installation Rs. 216 }
DIRECTOR OF TRANSPORT—XXVIII. COMMERCIAL TRANSPORT.	
1. Explanation for the savings reported on pages 37 and 125.	Please see the explanations on pages 38 and 125 of the Report.
2. Explanation for the non-surrender of funds reported on page 50.	Out of Rs. 2·52 lakhs, Rs. 1·5 lakhs were surrendered. The balance was retained for payment of certain vehicles etc. ordered. But the payments were not made during 1116.

Name of Controlling Officer, Grant Number and points on which information was required.	Information furnished.
3. Further information regarding cases of frauds etc. reported on page 126 (information to be furnished on the lines indicated against Land Revenue Department).	Detailed information furnished by the Director of Transport was placed before the Committee.
ANCHAL SUPERINTENDENT—XXXI. ANCHAL.	
Further information regarding cases of frauds etc. reported on pages 133 to 136 (information to be furnished on the lines indicated under Land Revenue Department *vide* page 1 supra).	Detailed information furnished by the Anchal Superintendent was placed before the Committee.
FINANCIAL SECRETARY TO GOVERNMENT—XXXVII—COINAGE ACCOUNT.	
Explanation for the non-surrender of savings reported on page 50.	Please see the explanation given on page 141 of the Audit Report and Appropriation Accounts.

Annexure E

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL, THE CIVIL PROCEDURE CODE (AMENDMENT) BILL AND THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL.

To

The President,
Travancore Sri Mulam Assembly,
Trivandrum.

Sir,

We, the members of the Select Committee appointed to consider the Travancore High Court Act (Amendment) Bill, the Civil Procedure Code (Amendment) Bill and the Criminal Procedure Code (Amendment) Bill have considered the Bills and beg to submit this our

REPORT.

The Bills were published in the Gazette, dated the 25th May 1943.

While agreeing generally with the provisions of the Bills, the Committee are of the view that certain changes are necessary in order to make the idea contained therein more clear. Hence the following:—

THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL.

1. (1) In sub-clause (1) of clause 2 in lines 7 and 14 for the words "another of such courts" the words "another subordinate civil court competent to try and dispose of the same" and the words "another subordinate criminal court competent to enquire into or try and dispose of the same" shall respectively be substituted; and in line 16, between the word "for" and the word "retransfer" the word "the" shall be inserted.

(2) In line 10 of sub-clause (2) of clause 3, the word "passed" shall be omitted.

THE CIVIL PROCEDURE CODE (AMENDMENT) BILL.

2. In line 27 of clause 2, for the words "another such court within its jurisdiction" the words "another subordinate court within its jurisdiction competent to try and dispose of the same" shall be substituted.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL.

3. (1) In the preamble, for the words, "for a certain purpose" the words "for certain purposes" shall be substituted.

(2) In clause 2,—

(a) under chapter XXIII A, for the heading "Trials before the High Court" the heading "Of trials before the High Court" be substituted;

(b) in the inserted Section 276 A,—

(i) for sub-section (1) the following sub-section shall be substituted, namely :—

"(1) In all trials before Our High Court it shall follow the procedure prescribed under chapter XXIII";

(ii) in sub-section (2), for the words "the procedure shall be as nearly as may be" the words "Our High Court shall follow" shall be substituted.

(3) In clause 3, line 4, between the word "in" and the word "exercise" the word "the" shall be inserted; and in line 7, for the word "such" the word "the" shall be substituted.

4. Sub-clause (2) (c) of clause 3 of the High Court Act (Amendment) Bill provides for the hearing and decision by a Division Bench of all appeals preferred against sentences and orders of acquittal passed by a Single Judge of the High Court in the exercise of original jurisdiction. The Committee are of the view that consequential amendments have to be made in Section 345 of the Criminal Procedure Code. Hence the following :—

Clause 5 shall be renumbered as clause 6 and before clause 5 as so renumbered the following clause shall be inserted, namely :—

"5. To sub-section (1) of Section 345 of the said code the words "or from an order of acquittal passed by a Single Judge of Our High Court" shall be added.

Amendment of Section 345, Act VIII of 1117.

5. Clause 5 of the Bill renumbered as clause 6 provides for the transfer of *any particular case or appeal* to the High Court for trial before itself. The Committee are of the view that provision must be made for the transfer to and trial by the High Court of any *particular class of cases or appeals* as well. Hence the following:—

In line 4 of clause 5 renumbered as clause 6, between the word "appeal" and the words "be transferred" the words "or class of cases or appeals" shall be inserted.

Certain printing mistakes noticed by the Committee have been corrected in the copies of the Bills enclosed herewith.

As certain material changes have been made, the Committee are of the opinion that the Bills as revised may be republished.

(Sd.) S. Chattanatha Karayalar
,, N. Ramakrishna Pillai
,, E. E. Pandarathil
,, P. Sivarama Pillai
,, C. Jebamony Nadar
,, C. Ramaswamy Nadar
,, P. Narayana Pillai
,, C. Raman Kunju
,, Kottalil P. Abraham
See dissenting minute attached.
(Sd.) M. R. Narayana Pillai
Subject to right of moving amendments
(Sd.) K. S. Sebastin.
Do. (Sd.) G. Velu Pillai
(Sd.) E. Subramonia Iyer
,, T. K. Velu Pillai
(subject to dissenting note)
,, K. G. Kunjukrishna Pillai.

THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL.

DISSENTING MINUTE BY MR. M. R. NARAYANA PILLAI:

This Bill which affects the entire administration of Justice in the State, has not been given sufficient publicity. The Bill was only published on the 25th May 1943, and it was introduced in the Assembly on the 1st June 1943. To invest the High Court which has so far been only a Court of Appeal, with powers for trying even petty cases ordinarily triable by a 2nd Class Magistrate, would lower the dignity of the High Court considerably. Unscrupulous litigants will be encouraged to take advantage of this provision and thereby abuse the privileges conferred on them. The High Court will be flooded with petitions for the transfer of cases from the lower courts to its own files, disentitling the opposite party to the most elementary right of having their case tried in the lowest Court the law allows them. The exclusiveness of the High Court and all that reverential fear and the wonder of its dignity, would become things of the past. Appeals from the decisions of 2nd Class Magistrates which are now disposed of by 1st Class Magistrates and District Magistrates will hereafter be disposed of by a Division Bench of the High Court when a single Judge tries such cases. The Highest Court of Appeal in no country has so far been known to exercise original jurisdiction of the nature now contemplated by the Bill.

e. g., neither the Court of appeal in England nor the Judicial Committee of the Privy Council exercises such powers. Neither the public, nor the Bar, nor even the High Court appears to have asked for these unusual powers. The Statement of Objects and Reasons merely mentions "the need has long been felt.........."and it is impossible to ascertain where this need "has long been felt". There is no purpose in hurrying this Bill through. It is one of the most important Bills so far introduced in the Assembly. It is one that affects the very fundamentals of the administration of Justice in the country. Evidence has to be taken from representatives of the various interests such as the litigant public, the Bar, etc., and above all the Committee should have the opinion of the High Court on this Bill.

The mandatory provision that the "HIGH COURT shall comply with such requisition as may be made by Our Government for records ....", proclaims to the world the Government's intention to treat the Judiciary as subordinate to the Executive. All the necessary returns, periodical statements, etc., are being received by the Government even now, without any special legislation for that purpose. It is a purely ministerial matter which requires no legislative sanction. It may be said that the Letters Patent of the High Courts of British India have a provision for supplying records to the Government. But that is no argument here particularly when we do not enjoy ever so many privileges allowed to the people in British India.

The Bill has however been introduced in the Assembly, and as such it cannot be rejected wholly. The provision for a single Judge of the High Court doing duty as Vacation Judge to receive plaints for the purpose of granting interim reliefs in fit and urgent matters, *viz.*, clause 4 Section 8A (1) (b), may accordingly be retained. All the other Sections and clauses must be deleted.

14th Mithunam 1118. (Sd.) M. R. NARAYANA PILLAI.

DISSENTING MINUTE BY SADASYATILAKA T. K. VELU PILLAI.

I am for dropping the Bills except clause 4 of the High Court Act (Amendmen) Bill. The High Court Act is faulty in several ways. The present Bill contemplates changes which according to me do not go far. A consolidating Bill has to be introduced in the Assembly.

Clause 2 of the High Court Act (Amendment) Bill, clause 5 of the Criminal Procedure Code (Amendment) Bill and clause 2 of the Civil Procedure Code (Amendment) Bill are, it appears to me, highly prejudicial to the proper administration of Justice.

The President in his speech in the Assembly made prominent mention of the fact that in the Madras High Court the instances in which extraordinary jurisdiction was exercised were very, very few during all these years.

Unless there is a specification as regards the nature of cases to be transferred to the High Court from subordinate Courts, Civil or Criminal, the clause, if the Bill becomes law, will be prejudicial to the people. The mover was not able to say whether the High Court expressed any opinion on the Bills.

14th Mithunom 1118. (Sd). T. K. VELU PILLAI

Assembly Office, B. PARAMU,

Trivandrum, 5th July 1943. *Secretary to the Sri Mulam Assembly.*

Annexure III.

THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL.

(As revised by the Select Committee.)

The portions in italics denote the changes made by the Select Committee.

Preamble. WHEREAS it is expedient further to amend the Travancore High Court Act of 1099 (Act IV of 1099) as amended by Acts II and III of 1113 for certain purposes; It is hereby enacted as follows:—

Short title and commencement. 1. (*a*) This Act may be called the Travancore High Court (Amendment) Act, 111- .

(*b*) It shall come into force at once.

Amendment of Section 7, Act IV of 1099. 2. In Section 7 of the Travancore High Court Act of 1099 (Act IV of 1099) as amended by Acts II and III of 1113 (hereinafter referred to as the said Act),—(1) in sub-clause (A) of clause (4), for parts (viii) and (ix), the following parts shall be substituted, namely;—

"(viii) (*a*) for the transfer of any suit, appeal or other proceeding, or proceedings in execution of a decree, from one of the civil courts subordinate to the High Court to *another subordinate Civil Court competent to try and dispose of the same* or to the High Court;

(*b*) for the re-transfer of any suit, appeal or other proceeding or proceedings in execution of a decree, from the High Court to one of the civil courts subordinate to the High Court, and competent to try and dispose of the same, and

(ix) (*a*) for the transfer of any enquiry, trial or other proceeding, from one of the criminal courts subordinate to the High Court to *another subordinate Criminal Court competent to enquire into or try and dispose of the same* or to the High Court;

(*b*) for the re-transfer of any enquiry, trial or other proceeding, from the High Court to one of the criminal courts subordinate to the High Court, and competent to inquire into or try, and dispose of the same; and"

(2) after clause (4), the following clauses shall be inserted, namely:—

"(5) to withdraw and to try and decide any suit or other proceeding pending in any civil court subordinate to the High Court or to transfer the same to any other civil court competent to try and dispose of the same or to re-transfer the same to the court from which it was withdrawn;

(6) to withdraw, inquire into, try and decide any inquiry, trial or proceeding pending in any criminal court subordinate to the High Court, or to transfer the same to any other criminal court competent to inquire into or to try and dispose of the same or to re-transfer the same to the court from which it was withdrawn."

3. In Section 8 of the said Act,—

Amendment of Section 8, Act IV of 1099.

(1) clause (ii) shall be re-lettered as sub-clause (a) of that clause;

(2) after sub-clause (a) as so re-lettered the following sub-clauses shall be inserted, namely:—

"(b) to hear and decide all appeals preferred from the decrees and from such orders as are provided for in Section 82 of the Code of Civil Procedure, 1100, of a single Judge of the High Court passed in the exercise of original jurisdiction except the appeals provided for in Section 11:

(c) to hear and decide all appeals preferred against sentences and orders of acquittal passed by a Single Judge of the High Court in the exercise of original jurisdiction."

(3) the proviso to Section 8 shall be omitted.

4. After Section 8 of the said Act, the following new section shall be inserted namely:—

Insertion of a new section 8 A in Act IV of 1099.

Powers of vacation Judges.

"8A. (1) During the annual recess of the High Court, a Single Judge of that Court acting as a Vacation Judge and during consecutive holidays of more than three days' duration a Single Judge of that Court to be nominated by the Chief Justice shall have—

(a) all the powers of the High Court except in cases in which such power must be exercised under any provision of any law by more than one Judge, and

(b) the power to make provisional orders in all urgent matters civil and criminal and for such purpose to receive appeals, plaints and petitions ordinarily presentable to the subordinate courts:

Provided however that such provisional orders shall remain in force until the matter has been heard and decided by the Court having jurisdiction.

(2) It shall be competent for the Chief Justice during the annual recess of the High Court or during consecutive holidays of more than three days, duration to constitute a Division Bench or a Full Bench to hear and decide any matter that such Bench is competent to hear and decide otherwise."

5. In Section 11 of the said Act, between the words "District Courts" and the words "in suits," the words "or of a Single Judge of the High Court" shall be inserted.

Amendment of Section 11, Act IV of 1099.

6. After Section 17 of the said Act, the following new Section shall be added namely :—

Insertion of a new Section 18, Act IV of 1099.

"18. The High Court shall comply with such requisition as may be made by Our Government for records, returns and statements in such form and manner as Our Government may deem proper."

Requisition from Government for records etc.

Assembly Office,
Trivandrum, 5th July 1943.

S. PARAMU,
Secretary to the Sri Mulam Assembly.

Annexure IV

THE CIVIL PROCEDURE CODE (AMENDMENT) BILL

(As revised by the Select Committee.)

The portions italicised denote the changes made by the Select Committee.

Preamble.

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1100 (Act VIII of 1100) as amended by Acts X of 1100, III of 1101, II of 1116 and XXI of 1117 for certain purposes;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Civil Procedure Code (Amendment) Act, 111—

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Substitution of Section 23, Act VIII of 1100.

2. For Section 23 of the Code of Civil Procedure, 1100 (Act VIII of 1100) as amended by Acts X of 1100, III of 1101, II of 1116 and XXI of 1117, the following section shall be substituted, namely :—

General power of transfer and withdrawal.

"23. (1) On the application of any of the parties and after notice to the parties and after hearing such of them as desire to be heard or of its own motion without such notice, the High Court may at any stage—

(a) transfer any suit, appeal or other proceeding pending before it for trial or disposal to any Court subordinate to it and competent to try or dispose of the same, or

(b) withdraw any suit, appeal or other proceeding pending in any Court subordinate to it, and

(i) try or dispose of the same, or

(ii) transfer the same for trial or disposal to any Court subordinate to it and competent to try or dispose of the same, or

(iii) re-transfer the same for trial or disposal to the Court from which it was withdrawn.

(2) On the application of any of the parties and after notice to the parties and after hearing such of them as desire to be heard or of its own motion without such notice, the District Court, may, at any stage, transfer any suit or proceeding pending in any Court subordinate to it to *another subordinate Court within its jurisdiction competent to try and dispose of the same.*

(3) Where any suit or proceeding has been transferred or withdrawn under sub-sections (1) and (2), the Court which thereafter tries such suit, may subject to any special directions in the case of an order of transfer either re-try it or proceed from the point at which it was transferred or withdrawn.

(4) The Court trying any suit transferred or withdrawn under this section from a Court of Small Causes shall for the purposes of such suit be deemed to be a Court of Small Causes."

Assembly Office,
Trivandrum, 5th July 1943.

B. PARAMU,
Secretary to the Sri Mulam Assembly.

Annexure V.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL.

(As revised by the Select Committee.)

The portions italicised denote the changes made by the Select Committee.

Preamble.

Whereas it is expedient further to amend the Code of Criminal Procedure, 1117 (Act VIII of 1117) as amended by Act XI of 1117 *for certain purposes*:

It is hereby enacted as follows;—

Short title, extent and commencement.

1. (1) This Act may be called the Criminal Procedure Code (Amendment) Act, 111 —

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Insertion of a new Chapter XXIIIA in Act VIII of 1117.

2. After Chapter XXIII of the Code of Criminal Procedure, 1117 (Act VIII of 1117) as amended by Act XI of 1117 (hereinafter referred to as the said Code, the following Chapter shall be inserted, namely,—

"CHAPTER XXIII A.

Of trials before the High Court.

Trials before the High Court.

276A. (1) *In all trials before Our High Court it shall follow the procedure prescribed under Chapter XXII.*

(2) In all inquiries and other proceedings, *Our High Court shall follow* the procedure which the Court from which such inquiry or proceeding was transferred or withdrawn would have followed if it had proceeded with the case."

Amendment of Section 308, Act VIII of 1117.

3. Section 308 of the said Code shall be re-numbered as sub-section (1) of that section and the following sub-section shall be added, namely:—

"(2) When a Single Judge of Our High Court in *the* exercise of original Criminal Jurisdiction passes sentence of death or of imprisonment for life the proceedings shall be referred to a Division Bench of Our High Court and *the* sentence shall not be executed unless it is confirmed by the Division Bench and approved by Us."

4. Section 341 of the said Code shall be re-numbered as sub-section (1) of that section and the following sub-section shall be added namely :—

Amendment of Section 341, Act VIII of 1117.

"(2) Any person convicted on a trial held by a Single Judge of Our High Court may appeal to a Division Bench."

5. *To sub-section (1) of Section 345 of the said Code, the Words "or from an order of acquittal passed by a Single Judge of Our High Court" shall be added.*

Amendment of Section 345, Act VIII of 1117.

6. For parts (iii) and (iv) of clause (e) of sub-section (1) of Section 439 of the said Code, the following parts shall be substituted, namely :—

Amendment of Section 439, Act VIII of 1117.

"(iii) that any particular case or appeal be transferred to and tried before itself; or

(iv) that an accused person be committed for trial to itself or to a Court of Session."

Assembly Office,
Trivandrum, 5th July 1943.

B. PARAMU,
Secretary to the Sri Mulam Assembly.